

05-FOI-00906-11WH-801

"Benson, Thomas (ENRD)"  
<Thomas.Benson@usdoj.gov  
>

To Craig Melodia

cc

bcc

04/26/2011 03:31 PM

Subject xcel: nrd

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Thanks!

05-FOI-00906-11WH-802

**Craig Melodia /R5/USEPA/US**

04/27/2011 10:25 AM

To Scott Hansen

cc

bcc

Subject Re: Ashland SNL

I can be on the call at 3. After the letter is mailed we can tell her who received. I assume it will be mailed by 3. Also, if you can scan the signed and dated letter I will email it now to all the parties so they don't have to wait for the mail. Thanks

Scott Hansen

Craig, I have been getting calls from a r...

04/27/2011 10:13:23 AM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 04/27/2011 10:13 AM  
Subject: Re: Ashland SNL

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Scott

05-FOI-00906-11WH-803

**Craig Melodia /R5/USEPA/US**

04/27/2011 11:26 AM

To Scott Hansen

cc

bcc

Subject Re: Ashland SNL

[REDACTED]

Scott Hansen

Craig, Could you send me the final ele...

04/27/2011 11:15:42 AM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 04/27/2011 11:15 AM  
Subject: Re: Ashland SNL

Craig,

Could you send me the final electronic copy of the letter and I will get it date stamped and signed by Tom and then I will scan a copy and email it to you. I think the APA already put the packages in the mail so I won't be able to get the signed copy from those. I will ask the APA if she sent them yet.

Craig Melodia

I can be on the call at 3. Afte the letter i...

04/27/2011 10:25:27 AM

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA  
Date: 04/27/2011 10:25 AM  
Subject: Re: Ashland SNL

I can be on the call at 3. Afte the letter is mailed we can tell her who received. I assume it will be mailed by 3. Also, if you can scan the signed and dated letter I will email it now to all the parties so they don't have to wait for the mail. Thanks

Scott Hansen

Craig, I have been getting calls from a r...

04/27/2011 10:13:23 AM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 04/27/2011 10:13 AM  
Subject: Re: Ashland SNL

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Scott

05-FOI-00906-11WH-804

**Craig Melodia /R5/USEPA/US**

04/28/2011 08:32 AM

To THOMAS SHORT

cc Deborah Garber, REBECCA FREY, Scott Hansen,  
Thomas.Benson

bcc

Subject Re: Fw: Ashland Meeting on AOC and Tech Issues

Thanks Tom. We'll plan on proceeding on the 16th without you if Xcel gets us comments next week so we have a full week to review and Becky is available. I [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Thanks,

Craig

THOMAS SHORT

Craig and Scott, I got behind on ema...

04/28/2011 07:04:59 AM

From: THOMAS SHORT/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Deborah Garber/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Date: 04/28/2011 07:04 AM  
Subject: Re: Fw: Ashland Meeting on AOC and Tech Issues

Craig and Scott,

I got behind on emails. I'm not available the week of the 16th as I'm in Kansas City for the National Branch Chief/Division Director meeting. You can certainly proceed with out me at this point and we can schedule a follow up call or meeting if there are issues that need my input.

Tom

Craig Melodia

FYI - The special notice letters were si...

04/27/2011 11:05:50 AM

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov, THOMAS SHORT/R5/USEPA/US@EPA, Deborah Garber/R5/USEPA/US@EPA, "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>, "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, john.robinson@Wisconsin.gov, REBECCA FREY/R5/USEPA/US@EPA  
Date: 04/27/2011 11:05 AM  
Subject: Fw: Ashland Meeting on AOC and Tech Issues

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 04/27/2011 10:59 AM -----

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov, THOMAS  
SHORT/R5/USEPA/US@EPA, Deborah Garber/R5/USEPA/US@EPA, "Dunn, James R - DNR"  
<James.Dunn@Wisconsin.gov>, "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>,  
john.robinson@Wisconsin.gov  
Date: 04/21/2011 09:09 AM  
Subject: Ashland Meeting on AOC and Tech Issues

---

All,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-805

**Craig Melodia /R5/USEPA/US**

04/28/2011 09:07 AM

To REBECCA FREY

cc

bcc

Subject Re: Fw: Ashland Meeting on AOC and Tech Issues

Thanks. I don't think a later flight is necessary. We plan to start at 10 and end by hopefully noon but you can always leave early if the meeting drags on. Thanks for trying to make it. I'm still waiting to hear when we'll get the comments before I confirm the date.

REBECCA FREY

Craig, I'm scheduled to be on a 4 pm...

04/28/2011 09:04:33 AM

From: REBECCA FREY/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Deborah Garber/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA, THOMAS SHORT/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov  
Date: 04/28/2011 09:04 AM  
Subject: Re: Fw: Ashland Meeting on AOC and Tech Issues

Craig,

I'm scheduled to be on a 4 pm flight out of O'Hare on Mon May 16th, so was planning on being in the office that day until about 1:30 pm. A morning meeting that day would work best for me, but if absolutely necessary I could take a later flight.

- Becky

Craig Melodia

Thanks Tom. We'll plan on proceeding...

04/28/2011 08:32:20 AM

From: Craig Melodia/R5/USEPA/US  
To: THOMAS SHORT/R5/USEPA/US@EPA  
Cc: Deborah Garber/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov  
Date: 04/28/2011 08:32 AM  
Subject: Re: Fw: Ashland Meeting on AOC and Tech Issues

Thanks Tom. We'll plan on proceeding on the 16th without you if Xcel gets us comments next week so we have a full week to review and Becky is available. [REDACTED]

[REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Thanks,

Craig

THOMAS SHORT

Craig and Scott, I got behind on ema...

04/28/2011 07:04:59 AM

From: THOMAS SHORT/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Deborah Garber/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Date: 04/28/2011 07:04 AM  
Subject: Re: Fw: Ashland Meeting on AOC and Tech Issues

Craig and Scott,

I got behind on emails. I'm not available the week of the 16th as I'm in Kansas City for the National Branch Chief/Division Director meeting. You can certainly proceed with out me at this point and we can schedule a follow up call or meeting if there are issues that need my input.

Tom

Craig Melodia

FYI - The special notice letters were si...

04/27/2011 11:05:50 AM

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov, THOMAS SHORT/R5/USEPA/US@EPA, Deborah Garber/R5/USEPA/US@EPA, "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>, "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, john.robinson@Wisconsin.gov, REBECCA FREY/R5/USEPA/US@EPA  
Date: 04/27/2011 11:05 AM  
Subject: Fw: Ashland Meeting on AOC and Tech Issues

[REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 04/27/2011 10:59 AM -----

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov, THOMAS SHORT/R5/USEPA/US@EPA, Deborah Garber/R5/USEPA/US@EPA, "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>, "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, john.robinson@Wisconsin.gov  
Date: 04/21/2011 09:09 AM  
Subject: Ashland Meeting on AOC and Tech Issues

All,

[REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Thanks,

Craig



05-FOI-00906-11WH-806

**Craig Melodia /R5/USEPA/US**

05/04/2011 11:28 AM

To REBECCA FREY

cc Scott Hansen

bcc

Subject Re: Ashland

[REDACTED]

REBECCA FREY    Hi Craig, Did we get comments yet fr...

05/04/2011 11:21:18 AM

From: REBECCA FREY/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Scott Hansen/R5/USEPA/US@EPA  
Date: 05/04/2011 11:21 AM  
Subject: Re: Ashland

Hi Craig,

[REDACTED]

[REDACTED]

- Becky

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

05-FOI-00906-11WH-807

**LAWRENCE  
SCHMITT/R5/USEPA/US**

05/06/2011 04:38 PM

To Craig Melodia

cc Larry Kyte

bcc

Subject Re: Ashland Updated RD/RA Plan

Thanks Craig.

Lawrence Schmitt  
Superfund Division Enforcement Coordinator  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Blvd., SR-6J  
Chicago, IL 60604  
312-353-6565

Craig Melodia

Attached is the updated RD/RA negotia...

05/04/2011 10:36:24 AM

From: Craig Melodia/R5/USEPA/US  
To: Larry Kyte/R5/USEPA/US@EPA, LAWRENCE SCHMITT/R5/USEPA/US@EPA  
Cc: Deborah Garber/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov  
Date: 05/04/2011 10:36 AM  
Subject: Ashland Updated RD/RA Plan

---

Thanks,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig

[attachment "Region 5 negotiation Plan-May-4-11 (revised).docx" deleted by LAWRENCE SCHMITT/R5/USEPA/US]

05-FOI-00906-11WH-808

**Craig Melodia /R5/USEPA/US**

05/09/2011 03:28 PM

To "Benson, Thomas (ENRD)"

cc

bcc

Subject RE: Ashland Comments

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

"Benson, Thomas (ENRD)"

I can at least be available...

05/09/2011 03:10:20 PM

From: "Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov>  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 05/09/2011 03:10 PM  
Subject: RE: Ashland Comments

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov  
[mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Monday, May 09, 2011 11:37 AM  
To: Dunn, James R - DNR; Graff, Daniel A - DNR;  
john.robinson@wisconsin.gov; Hansen.Scott@epamail.epa.gov;  
Garber.Deborah@epamail.epa.gov; Frey.Rebecca@epamail.epa.gov;  
Short.Thomas@epamail.epa.gov; Benson, Thomas (ENRD)  
Subject: Ashland Comments

[REDACTED]

[REDACTED]

[REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-809

**Craig Melodia /R5/USEPA/US**

05/17/2011 03:14 PM

To "Benson, Thomas (ENRD)"

cc

bcc

Subject RE: Draft Ltr to Xcel

No problem - whenever you have time. I can send it any day this week.

"Benson, Thomas (ENRD)"

Will do. It may be later toni...

05/17/2011 03:12:19 PM

---

From: "Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov>  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 05/17/2011 03:12 PM  
Subject: RE: Draft Ltr to Xcel

---

Will do. It may be later tonight

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov  
[mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Tuesday, May 17, 2011 4:10 PM  
To: Hansen.Scott@epamail.epa.gov; Benson, Thomas (ENRD)  
Subject: Fw: Draft Ltr to Xcel

Attached is the revised letter with Scott's comments and some additional changes I made. Tom, if you haven't already started, please review this version.

Thanks

(See attached file: EPA-Ltr-May17th.docx)

----- Forwarded by Craig Melodia/R5/USEPA/US on 05/17/2011 03:08 PM

-----

From: Craig Melodia/R5/USEPA/US

To: Scott Hansen/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov

Date: 05/17/2011 12:04 PM

Subject: Draft Ltr to Xcel

Scott, Tom: Let me know if you have any comments or ideas about the draft letter.

[attachment "EPA-Ltr-May17th.docx" deleted by Craig Melodia/R5/USEPA/US]

05-FOI-00906-11WH-810

**Craig Melodia /R5/USEPA/US**

05/20/2011 09:41 AM

To "Benson, Thomas (ENRD)"

cc

bcc

Subject Re: Fw: Ashland Site NRD discussion

Sorry - I responded to Dan before I saw your message. I'm happy to listen in to both calls and will follow the scheduling. Thanks

-----"Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov> wrote: -----

To: Craig Melodia/R5/USEPA/US@EPA

From: "Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov>

Date: 05/19/2011 05:03PM

Subject: Fw: Ashland Site NRD discussion

Up to you whether to join either the precall with Wisconsin or the big call.

Sent Using U.S. DOJ/ENRD BES Server

---

**From:** Graff, Daniel A - DNR <Daniel.Graff@Wisconsin.gov>

**To:** Benson, Thomas (ENRD); Robinson, John H - DNR <John.Robinson@wisconsin.gov>; Jerow, Thomas S - DNR <Thomas.Jerow@wisconsin.gov>

**Cc:** Melodia.Craig@epamail.epa.gov <Melodia.Craig@epamail.epa.gov>; Graff, Daniel A - DNR <Daniel.Graff@Wisconsin.gov>

**Sent:** Thu May 19 17:59:25 2011

**Subject:** RE: Ashland Site NRD discussion

Tom,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

DAN

---

**From:** Benson, Thomas (ENRD) [mailto:Thomas.Benson@usdoj.gov]

**Sent:** Thursday, May 19, 2011 12:23 PM

**To:** Robinson, John H - DNR; Graff, Daniel A - DNR

**Cc:** Melodia.Craig@epamail.epa.gov

**Subject:** Ashland Site NRD discussion

Hi John and Dan,

[REDACTED]  
[REDACTED]. Are you available in the next few days? My schedule is pretty open, so suggest a time that works for you. Thanks,

Tom

Thomas A. Benson

Trial Attorney

Environmental Enforcement Section

U.S. Department of Justice

202-514-5261 (ph)

202-616-6584 (fax)

U.S. Mail Address: P.O. Box 7611, Washington, D.C. 20044-7611

Overnight Mail Address: 601 D Street, N.W., Washington, D.C. 20004

05-FOI-00906-11WH-811

**Craig Melodia /R5/USEPA/US**

05/23/2011 10:57 AM

To Thomas.Benson, Scott Hansen

cc REBECCA FREY

bcc

Subject Ashland Meeting with RRs

[REDACTED]

Thanks,

Craig

Exemption 5 - Attorney Client Privilege

Exemption 5 - Deliberative Process Privilege



05-FOI-00906-11WH-812

**Craig Melodia /R5/USEPA/US**

05/25/2011 08:21 AM

To REBECCA FREY

cc Scott Hansen, Sharon Jaffess, John Peterson,  
Thomas.Benson

bcc

Subject Re: Fw: 05-FOI-906-11 Ashland/Northern States Power  
Lakefront

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

I'll let you know what I find out.

Craig

REBECCA FREY

When I had to deal with extremely br...

05/24/2011 05:43:47 PM

From: REBECCA FREY/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA  
Cc: Craig Melodia/R5/USEPA/US@EPA  
Date: 05/24/2011 05:43 PM  
Subject: Re: Fw: 05-FOI-906-11 Ashland/Northern States Power Lakefront

[REDACTED]

- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

Becky Frey  
Chief, Remedial Response Section 3  
Superfund Division  
U.S. EPA Region 5  
312-886-4760

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Scott Hansen

Well, here is a FOIA request from the S...

05/24/2011 04:03:30 PM

From: Scott Hansen/R5/USEPA/US  
To: REBECCA FREY/R5/USEPA/US@EPA  
Date: 05/24/2011 04:03 PM  
Subject: Fw: 05-FOI-906-11 Ashland/Northern States Power Lakefront

---

Well, here is a FOIA request from the Soo Line Railroad. One of the RPs that received a SNL from us. I have never received a FOIA like this. Craig is going to talk with their FOIA person in ORC to find out what our path forward will be. Just thought you should know.

Scott

----- Forwarded by Scott Hansen/R5/USEPA/US on 05/24/2011 03:59 PM -----

From: Helen Mays/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Cc: Patricia Krause/R5/USEPA/US@EPA  
Date: 05/24/2011 03:24 PM  
Subject: 05-FOI-906-11 Ashland/Northern States Power Lakefront

---

I have a FOIA request regarding Ashland/Northern States Power Lakefront NPL site in Wisconsin.

[attachment "3126922918-228896-1027.pdf" deleted by REBECCA FREY/R5/USEPA/US]

Helen Mays, FOIA Specialist  
Superfund Division  
Enforcement and Compliance  
Assurance Branch  
Enforcement Services Section #3  
U.S. EPA, Region 5  
(312) 886-6229  
Fax # (312) 692-2918

05-FOI-00906-11WH-813

Craig Melodia /R5/USEPA/US

05/25/2011 02:34 PM

To Scott Hansen

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Fw: Ashland/NSP superfund site

Thanks

----- Forwarded by Craig Melodia/R5/USEPA/US on 05/25/2011 02:32 PM -----

From: "Richard Yde" <RYDE@staffordlaw.com>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: "Ted Waskowski" <TWASKOWSKI@staffordlaw.com>  
Date: 05/24/2011 09:04 AM  
Subject: RE: Ashland/NSP superfund site

Thank you, Craig. If it is not convenient, do not worry about it. We will get it from the administrative record when we go for other reasons.

Richard C. Yde  
Government Law Team Leader  
Stafford Rosenbaum LLP  
222 West Washington Avenue, Suite 900  
P.O. Box 1784  
Madison, Wisconsin 53701-1784  
Direct: 608.259.2639  
Fax: 608.250.2600  
Email: ryde@staffordlaw.com  
www.staffordlaw.com

If you receive this e-mail in error, use or disclosure is prohibited. Please notify me of the error by e-mail and delete this e-mail. Thank you.

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Tuesday, May 24, 2011 8:01 AM  
To: Richard Yde  
Cc: Ted Waskowski; Hansen.Scott@epamail.epa.gov  
Subject: RE: Ashland/NSP superfund site

Dick: My file copy is missing page 5, which is why the scan was incomplete. Not sure how that happened. I'm copying Scott Hansen on this in case he has a complete copy of the Batelle report in his file. If not, I will see if I can pull it from the record and email it to you.

Craig

From: "Richard Yde" <RYDE@staffordlaw.com>  
To: Craig Melodia/R5/USEPA/US@EPA

Cc: "Ted Waskowski" <TWASKOWSKI@staffordlaw.com>

Date: 05/23/2011 06:09 PM

Subject: RE: Ashland/NSP superfund site

Thank you, Craig. We will get the attachments from the administrative record. In the meantime, the copy of the Batelle report you sent is missing page 5. If it is not inconvenient, could you send us the missing page?

Richard C. Yde  
Government Law Team Leader  
Stafford Rosenbaum LLP  
222 West Washington Avenue, Suite 900  
P.O. Box 1784  
Madison, Wisconsin 53701-1784  
Direct: 608.259.2639  
Fax: 608.250.2600  
Email: ryde@staffordlaw.com  
www.staffordlaw.com

If you receive this e-mail in error, use or disclosure is prohibited. Please notify me of the error by e-mail and delete this e-mail. Thank you.

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Monday, May 23, 2011 1:54 PM  
To: Richard Yde  
Cc: Ted Waskowski  
Subject: Re: Ashland/NSP superfund site

Dick: Thanks - I found the discussion helpful as well. Attached are the two fingerprint reports done by Batelle for the state and Newfields for Xcel. My file copies do not have the attachments which I assume are voluminous. If you have a need to see the attachments I believe these reports with attachments are in the administrative record for the site. The record is located in our office here in Chicago and at the library in Ashland. I believe Ted had mentioned that you would share the city's insurance coverage with us after you've had a chance to organize it. That would be helpful and we'd appreciate you sharing that information.

Craig Melodia  
USEPA Region 5  
Office of Regional Counsel  
(312) 353-8870

(See attached file: Batelle-Report-2002.pdf)  
NewFields-Report-2006.pdf)

(See attached file:

From: "Richard Yde" <RYDE@staffordlaw.com>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: "Ted Waskowski" <TWASKOWSKI@staffordlaw.com>  
Date: 05/20/2011 02:49 PM  
Subject: Ashland/NSP superfund site

Craig:

I want to thank you, Scott and Tom again for meeting with us yesterday. The meeting was very helpful in putting the information we have in a context that will inform our investigation going forward. Hopefully, you also found the meeting useful in understanding our situation.

My recollection is that you are going to send us copies of the fingerprint analyses of the contaminants at the site. Is that correct? If there is any additional information you want from us, please let us know.

Richard C. Yde  
Government Law Team Leader  
Stafford Rosenbaum LLP  
222 West Washington Avenue, Suite 900  
P.O. Box 1784  
Madison, Wisconsin 53701-1784  
Direct: 608.259.2639  
Fax: 608.250.2600  
Email: ryde@staffordlaw.com  
www.staffordlaw.com

(Embedded image moved to file: pic22549.gif)

<http://www.staffordlaw.com/admin/gallery/images/stafford.gif>

If you receive this e-mail in error, use or disclosure is prohibited. Please notify me of the error by e-mail and delete this e-mail. Thank you.

05-FOI-00906-11WH-814

**Craig Melodia /R5/USEPA/US**

05/25/2011 03:29 PM

To Thomas.Benson

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject NRD Call

[REDACTED]

Craig

05-FOI-00906-11WH-815

**Craig Melodia /R5/USEPA/US**

06/06/2011 09:09 AM

To Ann Coyle

cc

bcc

Subject Fw: FOIA for Ashland Lakefront Superfund Site

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/06/2011 09:02 AM -----

From: Craig Melodia/R5/USEPA/US  
To: Joanna Glowacki/R5/USEPA/US@EPA  
Date: 06/01/2011 10:21 AM  
Subject: FOIA for Ashland Lakefront Superfund Site

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

05-FOI-00906-11WH-816

**Craig Melodia /R5/USEPA/US**

06/06/2011 11:59 AM

To Scott Hansen, Patricia Krause

cc Helen Mays, Deloris Johnson

bcc

Subject Fw: 05-FOI-906-11 Ashland/Northern States Power  
Lakefront

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/06/2011 11:50 AM -----

From: Helen Mays/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Cc: Patricia Krause/R5/USEPA/US@EPA  
Date: 05/24/2011 03:24 PM  
Subject: 05-FOI-906-11 Ashland/Northern States Power Lakefront

I have a FOIA request regarding Ashland/Northern States Power Lakefront NPL site in Wisconsin.



3126922918-228896-1027.pdf

Helen Mays, FOIA Specialist  
Superfund Division  
Enforcement and Compliance  
Assurance Branch  
Enforcement Services Section #3  
U.S. EPA, Region 5  
(312) 886-6229  
Fax # (312) 692-2918



05-FOI-00906-11WH-817

**Craig Melodia /R5/USEPA/US**

06/06/2011 12:48 PM

To Scott Hansen

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Re: Fw: 05-FOI-906-11 Ashland/Northern States Power Lakefront

[REDACTED]

Scott Hansen

Craig, I guess all the releasable docum...

06/06/2011 12:34:00 PM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 06/06/2011 12:34 PM  
Subject: Re: Fw: 05-FOI-906-11 Ashland/Northern States Power Lakefront

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Craig Melodia

Scott, Patti: Are you guys working on t...

06/06/2011 11:59:36 AM

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, Patricia Krause/R5/USEPA/US@EPA  
Cc: Helen Mays/R5/USEPA/US@EPA, Deloris Johnson/R5/USEPA/US@EPA  
Date: 06/06/2011 11:59 AM  
Subject: Fw: 05-FOI-906-11 Ashland/Northern States Power Lakefront

[REDACTED]

[REDACTED]

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/06/2011 11:50 AM

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

From: Helen Mays/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Cc: Patricia Krause/R5/USEPA/US@EPA  
Date: 05/24/2011 03:24 PM  
Subject: 05-FOI-906-11 Ashland/Northern States Power Lakefront

I have a FOIA request regarding Ashland/Northern States Power Lakefront NPL site in Wisconsin.

[attachment "3126922918-228896-1027.pdf" deleted by Scott Hansen/R5/USEPA/US]

Helen Mays, FOIA Specialist  
Superfund Division  
Enforcement and Compliance  
Assurance Branch  
Enforcement Services Section #3  
U.S. EPA, Region 5  
(312) 886-6229  
Fax # (312) 692-2918

05-FOI-00906-11WH-818

**Craig Melodia /R5/USEPA/US**

06/06/2011 12:52 PM

To Patricia Krause

cc Scott Hansen

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Fw: 05-FOI-906-11 Ashland/Northern States Power Lakefront

Thanks very much!

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/06/2011 12:50 PM -----

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, Patricia Krause/R5/USEPA/US@EPA  
Cc: Helen Mays/R5/USEPA/US@EPA, Deloris Johnson/R5/USEPA/US@EPA  
Date: 06/06/2011 11:59 AM  
Subject: Fw: 05-FOI-906-11 Ashland/Northern States Power Lakefront

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/06/2011 11:50 AM -----

From: Helen Mays/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Cc: Patricia Krause/R5/USEPA/US@EPA  
Date: 05/24/2011 03:24 PM  
Subject: 05-FOI-906-11 Ashland/Northern States Power Lakefront

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

I have a FOIA request regarding Ashland/Northern States Power Lakefront NPL site in Wisconsin.

[attachment "3126922918-228896-1027.pdf" deleted by Craig Melodia/R5/USEPA/US]

Helen Mays, FOIA Specialist  
Superfund Division  
Enforcement and Compliance  
Assurance Branch  
Enforcement Services Section #3  
U.S. EPA, Region 5  
(312) 886-6229  
Fax # (312) 692-2918

05-FOI-00906-11WH-819

**Craig Melodia /R5/USEPA/US**

06/06/2011 01:20 PM

To Patricia Krause

cc Patricia Krause, Scott Hansen

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Re: Fw: 05-FOI-906-11 Ashland/Northern States Power Lakefront

Thanks very much,

Craig

Patricia Krause

I can get a cd of the administrative reco...

06/06/2011 01:03:37 PM

From: Patricia Krause/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Patricia Krause/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Date: 06/06/2011 01:03 PM  
Subject: Re: Fw: 05-FOI-906-11 Ashland/Northern States Power Lakefront

Patti Krause  
Community Involvement Coordinator  
U.S. EPA Region 5, Superfund Division  
77 W. Jackson Blvd., SI-7J  
Chicago, IL 60604  
PH: (312) 886-9506  
FAX: (312) 697-2568  
krause.patricia@epa.gov

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig Melodia

Hi Patti: Is the admin. record for Ashla...

06/06/2011 12:52:26 PM

From: Craig Melodia/R5/USEPA/US  
To: Patricia Krause/R5/USEPA/US@EPA  
Cc: Scott Hansen/R5/USEPA/US@EPA  
Date: 06/06/2011 12:52 PM  
Subject: Fw: 05-FOI-906-11 Ashland/Northern States Power Lakefront

Thanks very much!

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/06/2011 12:50 PM -----

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, Patricia Krause/R5/USEPA/US@EPA  
Cc: Helen Mays/R5/USEPA/US@EPA, Deloris Johnson/R5/USEPA/US@EPA  
Date: 06/06/2011 11:59 AM  
Subject: Fw: 05-FOI-906-11 Ashland/Northern States Power Lakefront

[REDACTED]

[REDACTED]

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/06/2011 11:50 AM

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

From: Helen Mays/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Cc: Patricia Krause/R5/USEPA/US@EPA  
Date: 05/24/2011 03:24 PM  
Subject: 05-FOI-906-11 Ashland/Northern States Power Lakefront

I have a FOIA request regarding Ashland/Northern States Power Lakefront NPL site in Wisconsin.

[attachment "3126922918-228896-1027.pdf" deleted by Craig Melodia/R5/USEPA/US]

Helen Mays, FOIA Specialist  
Superfund Division  
Enforcement and Compliance  
Assurance Branch  
Enforcement Services Section #3  
U.S. EPA, Region 5  
(312) 886-6229  
Fax # (312) 692-2918

05-FOI-00906-11WH-820

**Craig Melodia /R5/USEPA/US**

06/07/2011 07:53 AM

To Scott Hansen

cc

bcc

Subject Fw: Ashland AOC: Response Costs

Exemption 5 - Attorney Client Privilege

Exemption 5 - Deliberative Process Privilege

fyi ...

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/07/2011 07:53 AM -----

From: Craig Melodia/R5/USEPA/US  
To: "Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov>  
Date: 06/07/2011 07:53 AM  
Subject: RE: Ashland AOC: Response Costs

[REDACTED]

"Benson, Thomas (ENRD)"

I agree that the current inte...

06/06/2011 07:34:54 PM

From: "Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov>  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 06/06/2011 07:34 PM  
Subject: RE: Ashland AOC: Response Costs

Exemption 5 - Attorney Client Privilege

Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov  
[mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Monday, June 06, 2011 4:59 PM  
To: Benson, Thomas (ENRD)  
Subject: Ashland AOC: Response Costs

Exemption 5 - Attorney Client Privilege

Exemption 5 - Deliberative Process Privilege

[REDACTED]

05-FOI-00906-11WH-821

**Craig Melodia /R5/USEPA/US**

06/07/2011 03:25 PM

To Patricia Krause

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Fw: 05-FOI-906-11 Ashland/Northern States Power Lakefront

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/07/2011 03:25 PM -----

From: Craig Melodia/R5/USEPA/US  
To: Patricia Krause/R5/USEPA/US@EPA  
Cc: Patricia Krause/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Date: 06/06/2011 01:20 PM  
Subject: Re: Fw: 05-FOI-906-11 Ashland/Northern States Power Lakefront

Thanks very much,

Craig

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Patricia Krause | can get a cd of the administrative reco... 06/06/2011 01:03:37 PM

From: Patricia Krause/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Patricia Krause/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Date: 06/06/2011 01:03 PM  
Subject: Re: Fw: 05-FOI-906-11 Ashland/Northern States Power Lakefront

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Patti Krause  
Community Involvement Coordinator  
U.S. EPA Region 5, Superfund Division  
77 W. Jackson Blvd., SI-7J  
Chicago, IL 60604  
PH: (312) 886-9506  
FAX: (312) 697-2568  
krause.patricia@epa.gov

Craig Melodia | Hi Patti: Is the admin. record for Ashla... 06/06/2011 12:52:26 PM

From: Craig Melodia/R5/USEPA/US  
To: Patricia Krause/R5/USEPA/US@EPA  
Cc: Scott Hansen/R5/USEPA/US@EPA  
Date: 06/06/2011 12:52 PM  
Subject: Fw: 05-FOI-906-11 Ashland/Northern States Power Lakefront

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Thanks very much!

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/06/2011 12:50 PM -----

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, Patricia Krause/R5/USEPA/US@EPA  
Cc: Helen Mays/R5/USEPA/US@EPA, Deloris Johnson/R5/USEPA/US@EPA  
Date: 06/06/2011 11:59 AM  
Subject: Fw: 05-FOI-906-11 Ashland/Northern States Power Lakefront

---

[REDACTED]

[REDACTED]

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/06/2011 11:50 AM -----

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

From: Helen Mays/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Cc: Patricia Krause/R5/USEPA/US@EPA  
Date: 05/24/2011 03:24 PM  
Subject: 05-FOI-906-11 Ashland/Northern States Power Lakefront

---

I have a FOIA request regarding Ashland/Northern States Power Lakefront NPL site in Wisconsin.

[attachment "3126922918-228896-1027.pdf" deleted by Craig Melodia/R5/USEPA/US]

Helen Mays, FOIA Specialist  
Superfund Division  
Enforcement and Compliance  
Assurance Branch  
Enforcement Services Section #3  
U.S. EPA, Region 5  
(312) 886-6229  
Fax # (312) 692-2918



05-FOI-00906-11WH-822

Craig Melodia /R5/USEPA/US

06/08/2011 03:30 PM

To Portrice Vernon

cc Helen Mays, Deloris Johnson

bcc

Subject Fw: Ashland Lakefront Site: FOIA 05-FOI-906-11

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Portrice:

[REDACTED]

Thank you,

Craig Melodia  
3-8870

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/08/2011 03:26 PM -----

From: "Fontaine, Gregory" <greg.fontaine@leonard.com>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: "Endrud, Nathan" <nathan.endrud@leonard.com>, "Brodin, Michelle" <michelle.brodin@leonard.com>  
Date: 06/08/2011 02:50 PM  
Subject: RE: Ashland Lakefront Site: FOIA

Craig: I provide the following responses in reply to your questions and comments regarding the FOIA request.

1. I am confirming that Leonard Street will pay (or will arrange for Soo Line to pay directly) the FOIA costs of up to \$2500, and if it appears that amount may be exceeded, you will notify me, at which time you and I will address any necessary additional authorization and cost issues as you have proposed in your email.
2. As I previously indicated to you, Soo Line will be amenable to discussing a reasonable extension with respect to EPA's response time to the FOIA request at such time as EPA indicates that it will need an extension. I believe that you and I previously indicated that we would discuss this timing issue further at the June 13th meeting in Chicago.
3. I appreciate your assistance in scanning the administrative record onto an electronic file. I am assuming that this means the file is now on a disc, as opposed to being available by some Internet link. Assuming my assumption is correct, and given the date, it is probably easier for all concerned for me to pick up the disc at the June 13th meeting rather than having you mail it to me.
4. You have correctly confirmed the essence of my comments on the WDNR documents in the final sentence of your email, but as is generally the case with us lawyers, there is an exception which I want to clarify. Specifically, regarding the WDNR files that may also be in EPA's possession, our firm previously requested on behalf of Soo Line all documents from WDNR regarding the Ashland/NSP Lakefront Site. WDNR

provided documents from its file number BRRTS #02-02-000013 spanning the period from December 1987 to December 2003. The index of what WDNR provided is attached. Our firm has since supplemented our request to WDNR for (1) any and all documents in file number 02-02-000013 dated later than December 2003 and (2) any and all documents from additional file numbers 02-02-253079, 02-02-177777, 07-02-256762, and 07-02-280891 (which appear to be much smaller files). To the extent that EPA possesses any WDNR documents that do not belong to these file numbers, please provide them in response to Soo Line's FOIA request to EPA. If my effort to be precise on this issue has caused any confusion, please let me know.

I look forward to meeting you next week. Greg Fontaine

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov  
[mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Wednesday, June 08, 2011 9:00 AM  
To: Fontaine, Gregory  
Subject: Ashland Lakefront Site: FOIA

Greg: I am working on our response to your FOIA and was reminded that EPA needs a fee commitment given the anticipated number of documents and time it will take to collect, copy and review. In order to continue our efforts I am asking you to confirm that your firm will pay EPA's fee to respond to the FOIA. At this time I am estimating that the fee could be \$2,500. If it looks like actual costs are likely to exceed \$2,500 we will contact you again with a revised fee estimate. We are also likely to request an extension to fully respond. During our last conversation you asked whether you can obtain a copy the contents of the administrative record for the Site. I have had the administrative record scanned onto a disc and can send that to you as EPA's initial response. Also, I'd like to confirm that during our last conversation you agreed to exclude from your request all of the state's files that may also be in EPA's possession.

Thank you,

Craig Melodia  
USEPA  
Office of Regional Counsel  
(312) 353-8870

-----  
CONFIDENTIALITY NOTICE: The information contained in this e-mail is confidential, may be legally privileged, and is intended only for the use of the party named above. If the reader of this e-mail is not the intended recipient, you are advised that any dissemination, distribution, or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify us by telephone at 612.335.1500 and destroy this e-mail.  
-----



WDNR 02-02-000013 Indices (FOIA documents).PDF

05-FOI-00906-11WH-823

Anna Rzeznik /R5/USEPA/US

06/10/2011 02:19 PM

To Portrice Vernon, Craig Melodia

cc Mays.helen

bcc

Subject Re: Fw: Ashland Lakefront Site: FOIA 05-FOI-906-11

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]



R5-Complex\_trac907-11.doc

Anna Rzeznik  
US EPA Region 5 FOIA Office  
(312)886-6686  
r5foia@epa.gov

Portrice Vernon

Anna, Please put the above subject on...

06/08/2011 04:08:38 PM

From: Portrice Vernon/R5/USEPA/US  
To: Anna Rzeznik/R5/USEPA/US@EPA  
Cc: Mays.helen@epa.gov  
Date: 06/08/2011 04:08 PM  
Subject: Fw: Ashland Lakefront Site: FOIA 05-FOI-906-11

Anna,

Please put the above subject on the Complex Track with the due date of July 29, 2011.

Thanks

----- Forwarded by Portrice Vernon/R5/USEPA/US on 06/08/2011 03:41 PM -----

From: Craig Melodia/R5/USEPA/US  
To: Portrice Vernon/R5/USEPA/US@EPA  
Cc: Helen Mays/R5/USEPA/US@EPA, Deloris Johnson/R5/USEPA/US@EPA  
Date: 06/08/2011 03:30 PM  
Subject: Fw: Ashland Lakefront Site: FOIA 05-FOI-906-11

Portrice:

[REDACTED]

Thank you,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig Melodia  
3-8870

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/08/2011 03:26 PM -----

From: "Fontaine, Gregory" <greg.fontaine@leonard.com>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: "Endrud, Nathan" <nathan.endrud@leonard.com>, "Brodin, Michelle" <michelle.brodin@leonard.com>  
Date: 06/08/2011 02:50 PM  
Subject: RE: Ashland Lakefront Site: FOIA

---

Craig: I provide the following responses in reply to your questions and comments regarding the FOIA request.

1. I am confirming that Leonard Street will pay (or will arrange for Soo Line to pay directly) the FOIA costs of up to \$2500, and if it appears that amount may be exceeded, you will notify me, at which time you and I will address any necessary additional authorization and cost issues as you have proposed in your email.
2. As I previously indicated to you, Soo Line will be amenable to discussing a reasonable extension with respect to EPA's response time to the FOIA request at such time as EPA indicates that it will need an extension. I believe that you and I previously indicated that we would discuss this timing issue further at the June 13th meeting in Chicago.
3. I appreciate your assistance in scanning the administrative record onto an electronic file. I am assuming that this means the file is now on a disc, as opposed to being available by some Internet link. Assuming my assumption is correct, and given the date, it is probably easier for all concerned for me to pick up the disc at the June 13th meeting rather than having you mail it to me.
4. You have correctly confirmed the essence of my comments on the WDNR documents in the final sentence of your email, but as is generally the case with us lawyers, there is an exception which I want to clarify. Specifically, regarding the WDNR files that may also be in EPA's possession, our firm previously requested on behalf of Soo Line all documents from WDNR regarding the Ashland/NSP Lakefront Site. WDNR provided documents from its file number BRRTS #02-02-000013 spanning the period from December 1987 to December 2003. The index of what WDNR provided is attached. Our firm has since supplemented our request to WDNR for (1) any and all documents in file number 02-02-000013 dated later than December 2003 and (2) any and all documents from additional file numbers 02-02-253079, 02-02-177777, 07-02-256762, and 07-02-280891 (which appear to be much smaller files). To the extent that EPA possesses any WDNR documents that do not belong to these file numbers, please provide them in response to Soo Line's FOIA request to EPA. If my effort to be precise on this issue has caused any confusion, please let me know.

I look forward to meeting you next week. Greg Fontaine

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov  
[mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Wednesday, June 08, 2011 9:00 AM  
To: Fontaine, Gregory  
Subject: Ashland Lakefront Site: FOIA

Greg: I am working on our response to your FOIA and was reminded that EPA needs a fee commitment given the anticipated number of documents and time it will take to collect, copy and review. In order to continue our efforts I am asking you to confirm that your firm will pay EPA's fee to respond to the FOIA. At this time I am estimating that the fee could be \$2,500. If it looks like actual costs are likely to exceed \$2,500 we will contact you again with a revised fee estimate. We are also likely to request an extension to fully respond. During our last conversation you asked whether you can obtain a copy the contents of the administrative record for the Site. I have had the administrative record scanned onto a disc and can send that to you as EPA's initial response. Also, I'd like to confirm that during our last conversation you agreed to exclude from your request all of the state's files that may also be in EPA's possession.

Thank you,

Craig Melodia  
USEPA  
Office of Regional Counsel  
(312) 353-8870

-----  
CONFIDENTIALITY NOTICE: The information contained in this e-mail is confidential, may be legally privileged, and is intended only for the use of the party named above. If the reader of this e-mail is not the intended recipient, you are advised that any dissemination, distribution, or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify us by telephone at 612.335.1500 and destroy this e-mail.  
-----

[attachment "WDNR 02-02-000013 Indices (FOIA documents).PDF" deleted by Anna Rzeznik/R5/USEPA/US]

05-FOI-00906-11WH-824

**Craig Melodia /R5/USEPA/US**

06/13/2011 04:48 PM

To THOMAS SHORT, REBECCA FREY, Scott Hansen

cc Larry Kyte, Thomas.Benson

bcc

Subject Ashland Lakefront: Expected "Good Faith Offers"

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Craig

05-FOI-00906-11WH-825

THOMAS  
SHORT/R5/USEPA/US  
06/14/2011 07:48 AM

To Craig Melodia  
cc Larry Kyte, REBECCA FREY, Scott Hansen,  
Thomas.Benson, LAWRENCE SCHMITT, Steven Padovani  
bcc

Subject Re: Ashland Lakefront: Expected "Good Faith Offers"

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Tom

Craig Melodia All, I wanted to let you that we met with... 06/13/2011 04:48:31 PM

From: Craig Melodia/R5/USEPA/US  
To: THOMAS SHORT/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Cc: Larry Kyte/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov  
Date: 06/13/2011 04:48 PM  
Subject: Ashland Lakefront: Expected "Good Faith Offers"

[REDACTED]

[REDACTED]

Craig

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

05-FOI-00906-11WH-826

"Dunn, James R - DNR"  
<James.Dunn@Wisconsin.gov>

06/14/2011 07:52 AM

To "Graff, Daniel A - DNR"  
cc Craig Melodia, Scott Hansen  
bcc

Subject Start to comments - Confidential Draft

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Dan. [REDACTED]

Scott

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]







Jamie Dunn  
Hydrogeologist  
Remediation & Redevelopment Program  
Northern Region - Spooner  
715 635-4049

05-FOI-00906-11WH-827

Craig Melodia /R5/USEPA/US

06/14/2011 08:17 AM

To THOMAS SHORT

cc Larry Kyte, LAWRENCE SCHMITT, REBECCA FREY, Scott Hansen, Steven Padovani, Thomas.Benson

bcc

Subject Re: Ashland Lakefront: Expected "Good Faith Offers"

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

Craig  
Craig

THOMAS SHORT

Craig, We've extended GFO dates in...

06/14/2011 07:48:21 AM

From: THOMAS SHORT/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Larry Kyte/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov, LAWRENCE SCHMITT/R5/USEPA/US, Steven Padovani/R5/USEPA/US  
Date: 06/14/2011 07:48 AM  
Subject: Re: Ashland Lakefront: Expected "Good Faith Offers"

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Tom

Craig Melodia

All, I wanted to let you that we met with...

06/13/2011 04:48:31 PM

From: Craig Melodia/R5/USEPA/US

To: THOMAS SHORT/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Cc: Larry Kyte/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov  
Date: 06/13/2011 04:48 PM  
Subject: Ashland Lakefront: Expected "Good Faith Offers"

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Craig

05-FOI-00906-11WH-828

**Craig Melodia /R5/USEPA/US**

06/14/2011 08:47 AM

To Scott Hansen

cc Thomas.Benson

bcc

Subject \*Confidential: Fw: Start to comments - Confidential Draft

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks and talk to you around 11.

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/14/2011 08:45 AM -----

From: "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>  
To: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
Cc: Craig Melodia/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Date: 06/14/2011 07:52 AM  
Subject: [REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Dan. [REDACTED]

Scott

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[illegible]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Jamie Dunn  
Hydrogeologist  
Remediation & Redevelopment Program  
Northern Region - Spooner  
715 635-4049

05-FOI-00906-11WH-829

**Craig Melodia /R5/USEPA/US**

06/14/2011 08:55 AM

To Scott Hansen

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject \*Confidential: Re: Fw: Start to comments - Confidential Draft

Scott Hansen

No we have not received the data gap...

06/14/2011 08:53:54 AM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 06/14/2011 08:53 AM  
Subject: Re: \*Confidential: Fw: Start to comments - Confidential Draft

Craig Melodia

Scott: Looks like a serious list of flaws...

06/14/2011 08:47:30 AM

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA  
Cc: Thomas.Benson@usdoj.gov  
Date: 06/14/2011 08:47 AM  
Subject: \*

Scott:

Thanks and talk to you around 11.

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/14/2011 08:45 AM

Exemption 5 - Attorney Client  
Exemption 5 - Deliberative Process Privilege

From: "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>  
To: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
Cc: Craig Melodia/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Date: 06/14/2011 07:52 AM  
Subject:

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Dan.

Scott



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Jamie Dunn  
Hydrogeologist  
Remediation & Redevelopment Program  
Northern Region - Spooner  
715 635-4049

05-FOI-00906-11WH-830

**Craig Melodia /R5/USEPA/US**

06/15/2011 09:06 AM

To Scott Hansen

cc "Graff, Daniel A - DNR", "Dunn, James R - DNR",  
Thomas.Benson

bcc

Subject \*Confidential: Re: Re: Start to comments - Confidential Draft

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Scott Hansen

It appears in the final ROD on page 10...

06/15/2011 09:03:40 AM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>, Thomas.Benson@usdoj.gov  
Date: 06/15/2011 09:03 AM  
Subject: Re: [REDACTED]

Craig Melodia

Scott, Jamie: I have a quick question o...

06/15/2011 08:31:51 AM

From: Craig Melodia/R5/USEPA/US  
To: "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>  
Cc: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, Scott Hansen/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov  
Date: 06/15/2011 08:31 AM  
Subject: [REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Thanks very much,

Craig

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

"Dunn, James R - DNR"

Dan. Here are our ramblings...

06/14/2011 07:52:43 AM

From: "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>  
To: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
Cc: Craig Melodia/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Date: 06/14/2011 07:52 AM  
Subject: [REDACTED]

Dan. [REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

11

██████████

[REDACTED]

██████████

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

Category	Value (approximate percentage)
1	95
2	15
3	98
4	30
5	90
6	100
7	85
8	95
9	90
10	95
11	90
12	40
13	98
14	50
15	95
16	10

\_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Jamie Dunn  
Hydrogeologist  
Remediation & Redevelopment Program  
Northern Region - Spooner  
715 635-4049

05-FOI-00906-11WH-831

**Craig Melodia /R5/USEPA/US**

06/15/2011 11:43 AM

To Scott Hansen

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject \*Confidential: Re: Fw: Re: Re: Start to comments -  
Confidential Draft

Scott Hansen

Besides that we don't agree with the Ba...

06/15/2011 11:41:51 AM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 06/15/2011 11:41 AM  
Subject: Re: Fw: [REDACTED]

Craig Melodia

Lot of info - esp on compositing method...

06/15/2011 11:38:32 AM

From: Craig Melodia/R5/USEPA/US  
To: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>, Thomas.Benson@usdoj.gov, Scott Hansen/R5/USEPA/US@EPA  
Date: 06/15/2011 11:38 AM  
Subject: Fw: [REDACTED]

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/15/2011 11:37 AM -----

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA  
Cc: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>, Thomas.Benson@usdoj.gov  
Date: 06/15/2011 09:06 AM  
Subject: [REDACTED]

Exemption 5 - Attorney Client  
Exemption 5 - Deliberative Process Privilege

Scott Hansen

It appears in the final ROD on page 10...

06/15/2011 09:03:40 AM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>, Thomas.Benson@usdoj.gov  
Date: 06/15/2011 09:03 AM  
Subject: Re: [REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig Melodia

Scott, Jamie: I have a quick question o...

06/15/2011 08:31:51 AM

From: Craig Melodia/R5/USEPA/US  
To: "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Cc: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, Scott Hansen/R5/USEPA/US@EPA,  
Thomas.Benson@usdoj.gov  
Date: 06/15/2011 08:31 AM  
Subject: [REDACTED]

Scott, Jamie: [REDACTED]

\_\_\_\_\_

\_\_\_\_\_

Craig

From: "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>  
To: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
Cc: Craig Melodia/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Date: 06/14/2011 07:52 AM  
Subject: [REDACTED]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

Jamie Dunn  
Hydrogeologist  
Remediation & Redevelopment Program  
Northern Region - Spooner  
715 635-4049

05-FOI-00906-11WH-832

Scott Hansen /R5/USEPA/US

06/16/2011 01:32 PM

To Craig Melodia

cc Thomas.Benson

bcc

Subject Re: Ashland PSVP

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Scott

Craig Melodia

Scott, Tom: Sorry I wasn't available f...

06/15/2011 04:50:31 PM

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov  
Date: 06/15/2011 04:50 PM  
Subject: Ashland PSVP

Scott, Tom:

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-833

Scott Hansen /R5/USEPA/US

06/16/2011 02:57 PM

To Craig Melodia

cc Thomas.Benson

bcc

Subject Re: Ashland PSVP

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Craig Melodia

Scott: Thanks for the further explanatio...

06/16/2011 02:00:24 PM

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA  
Cc: Thomas.Benson@usdoj.gov  
Date: 06/16/2011 02:00 PM  
Subject: Re: Ashland PSVP

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Scott: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Craig

Scott Hansen

Craig, Do you want a response to the P...

06/16/2011 01:32:45 PM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Thomas.Benson@usdoj.gov  
Date: 06/16/2011 01:32 PM  
Subject: Re: Ashland PSVP

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig,

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Scott

Craig Melodia

Scott, Tom: Sorry I wasn't available f...

06/15/2011 04:50:31 PM

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov  
Date: 06/15/2011 04:50 PM  
Subject: Ashland PSVP

Scott, Tom:

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-834

**Craig Melodia /R5/USEPA/US**

06/17/2011 03:29 PM

To THOMAS SHORT, REBECCA FREY

cc Scott Hansen, Thomas.Benson, Larry Kyte

bcc

Subject Ashland Deadline for GFO

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-835

**THOMAS**  
**SHORT/R5/USEPA/US**  
06/20/2011 08:53 AM

To Craig Melodia  
cc REBECCA FREY, Scott Hansen  
bcc  
Subject Re: Meeting in July w/Xcel

Good morning Craig,

I'm currently available.

Tom

Craig Melodia All: Looks like July 19-21 would work f... 06/20/2011 08:43:14 AM

From: Craig Melodia/R5/USEPA/US  
To: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>, Scott Hansen/R5/USEPA/US@EPA, "Thomas.Benson@usdoj.gov" <Thomas.Benson@usdoj.gov>, THOMAS SHORT/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>  
Date: 06/20/2011 08:43 AM  
Subject: Meeting in July w/Xcel

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

All: Looks like July 19-21 would work for Tom and me for a meeting with Xcel to discuss the AOC/SOW and PSVP. This meeting would be the larger legal/tech meeting to try and finalize the AOC. Please let me know if these dates work and if you have a preference. I will then try and schedule it with Xcel. [REDACTED]

Thanks,

Craig



05-FOI-00906-11WH-836

**Craig Melodia /R5/USEPA/US**

06/20/2011 08:54 AM

To THOMAS SHORT

cc Larry Kyte, LAWRENCE SCHMITT, REBECCA FREY, Scott Hansen, Thomas.Benson

bcc

Subject Re: Ashland Deadline for GFO

Ok, thanks everyone. I'll let the parties know the deadline is June 30th.

THOMAS SHORT

I'm ok with June 30th.

06/20/2011 08:51:46 AM

From: THOMAS SHORT/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US  
Cc: Craig Melodia/R5/USEPA/US@EPA, Larry Kyte/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov, LAWRENCE SCHMITT/R5/USEPA/US  
Date: 06/20/2011 08:51 AM  
Subject: Re: Ashland Deadline for GFO

---

I'm ok with June 30th.

Scott Hansen

That is fine with me.

06/20/2011 08:27:12 AM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Larry Kyte/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, THOMAS SHORT/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov  
Date: 06/20/2011 08:27 AM  
Subject: Re: Ashland Deadline for GFO

---

That is fine with me.

Craig Melodia

All, I spoke with Soo Lin RR. The pers...

06/17/2011 03:29:16 PM

From: Craig Melodia/R5/USEPA/US  
To: THOMAS SHORT/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA  
Cc: Scott Hansen/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov, Larry Kyte/R5/USEPA/US@EPA  
Date: 06/17/2011 03:29 PM  
Subject: Ashland Deadline for GFO

---

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-837

**Craig Melodia /R5/USEPA/US**

06/20/2011 08:55 AM

To THOMAS SHORT

cc

bcc

Subject Re: Meeting in July w/Xcel

Good morning and thanks. I'll let you know the date if we're able to schedule.

THOMAS SHORT

Good morning Craig, I'm currently av...

06/20/2011 08:53:13 AM

From: THOMAS SHORT/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: REBECCA FREY/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Date: 06/20/2011 08:53 AM  
Subject: Re: Meeting in July w/Xcel

Good morning Craig,

I'm currently available.

Tom

Craig Melodia

All: Looks like July 19-21 would work f...

06/20/2011 08:43:14 AM

From: Craig Melodia/R5/USEPA/US  
To: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>, Scott Hansen/R5/USEPA/US@EPA, "Thomas.Benson@usdoj.gov" <Thomas.Benson@usdoj.gov>, THOMAS SHORT/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>  
Date: 06/20/2011 08:43 AM  
Subject: Meeting in July w/Xcel

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

All: Looks like July 19-21 would work for Tom and me for a meeting with Xcel to discuss the AOC/SOW and PSVP. This meeting would be the larger legal/tech meeting to try and finalize the AOC. Please let me know if these dates work and if you have a preference. I will then try and schedule it with Xcel. [REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-838

**Craig Melodia /R5/USEPA/US**

06/21/2011 01:51 PM

To Scott Hansen

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Re: revised SOW for AOC

Thanks Scott. [REDACTED]

Scott Hansen

Craig, I made changes to the SOW bas...

06/21/2011 01:49:58 PM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 06/21/2011 01:49 PM  
Subject: Re: revised SOW for AOC

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

I [REDACTED]  
[REDACTED]  
[REDACTED]

Scott

[attachment "ashland- EPArevisedSOWforRDpilot-Redline-062111.DOC" deleted by Craig Melodia/R5/USEPA/US]

05-FOI-00906-11WH-839

**Craig Melodia /R5/USEPA/US**

06/21/2011 01:58 PM

To Scott Hansen

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Re: revised SOW for AOC

[REDACTED]

Scott Hansen

Craig, I made changes to the SOW bas...

06/21/2011 01:49:58 PM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 06/21/2011 01:49 PM  
Subject: Re: revised SOW for AOC

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Scott

[attachment "ashland- EPArevisedSOWforRDpilot-Redline-062111.DOC" deleted by Craig Melodia/R5/USEPA/US]

05-FOI-00906-11WH-840

**Craig Melodia /R5/USEPA/US**

06/21/2011 03:15 PM

To Scott Hansen

cc

bcc

Subject Re: AOC?

Got it - thanks

Scott Hansen

I spoke with one of our chemists and h...

06/21/2011 03:04:26 PM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 06/21/2011 03:04 PM  
Subject: Re: AOC?

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Craig Melodia

Scott: Xcel wants to add the last senten...

06/21/2011 02:11:42 PM

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA  
Date: 06/21/2011 02:11 PM  
Subject: AOC?

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

05-FOI-00906-11WH-841

Craig Melodia /R5/USEPA/US

06/28/2011 08:19 AM

To "Benson, Thomas (ENRD)"

cc

bcc

Subject RE: Meeting in July w/Xcel

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Thanks,

Craig

"Benson, Thomas (ENRD)"

Hi Craig, The 20th works f...

06/27/2011 08:17:03 PM

From: "Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov>  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 06/27/2011 08:17 PM  
Subject: RE: Meeting in July w/Xcel

Hi Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

The 20th works for me. Afternoon is fine. The week of the 11th is rough, but I am currently open the 12-14.

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov  
[mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Monday, June 27, 2011 9:47 AM  
To: Graff, Daniel A - DNR; Robinson, John H - DNR;  
Hansen.Scott@epamail.epa.gov; Benson, Thomas (ENRD);  
Short.Thomas@epamail.epa.gov; Frey.Rebecca@epamail.epa.gov; Dunn, James  
R - DNR  
Subject: Fw: Meeting in July w/Xcel

Ok, I got a call that Xcel is available for a group legal/tech meeting July 20th. They would like to meet from 1-5. So please plan to come to Chicago on July 20th and let me know if an afternoon meeting presents a problem and I can counter-propose a morning meeting. They would also like to have an attorney only call prior to the 20th to work through the AOC issues. They would like to have this call the week of July 11th. Tom and Dan please let me know your availability that week for a call.

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/27/2011 08:43 AM -----

From: Craig Melodia/R5/USEPA/US

To: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>,  
"Robinson, John H -  
DNR" <John.Robinson@wisconsin.gov>, Scott  
Hansen/R5/USEPA/US@EPA,  
"Thomas.Benson@usdoj.gov" <Thomas.Benson@usdoj.gov>,  
THOMAS  
SHORT/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA,  
"Dunn, James R - DNR"  
<James.Dunn@Wisconsin.gov>

Date: 06/20/2011 08:43 AM

Subject: Meeting in July w/Xcel

**Exemption 5 - Attorney Client Privilege**  
**Exemption 5 - Deliberative Process Privilege**

All: Looks like July 19-21 would work for Tom and me for a meeting with Xcel to discuss the AOC/SOW and PSVP. This meeting would be the larger legal/tech meeting to try and finalize the AOC. Please let me know if these dates work and if you have a preference. I will then try and schedule it with Xcel. [REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-842

**Craig Melodia /R5/USEPA/US**

06/28/2011 09:25 AM

To Thomas.Benson

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Fw: Meeting in July w/Xcel

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/28/2011 09:24 AM -----

From: Craig Melodia/R5/USEPA/US  
To: "Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov>  
Date: 06/28/2011 08:19 AM  
Subject: RE: Meeting in July w/Xcel

Thanks,

Craig

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

"Benson, Thomas (ENRD)"

Hi Craig, The 20th works f...

06/27/2011 08:17:03 PM

From: "Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov>  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 06/27/2011 08:17 PM  
Subject: RE: Meeting in July w/Xcel

Hi Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

The 20th works for me. Afternoon is fine. The week of the 11th is rough, but I am currently open the 12-14.

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov  
[mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Monday, June 27, 2011 9:47 AM  
To: Graff, Daniel A - DNR; Robinson, John H - DNR;  
Hansen.Scott@epamail.epa.gov; Benson, Thomas (ENRD);  
Short.Thomas@epamail.epa.gov; Frey.Rebecca@epamail.epa.gov; Dunn, James  
R - DNR  
Subject: Fw: Meeting in July w/Xcel

Ok, I got a call that Xcel is available for a group legal/tech meeting



July 20th. They would like to meet from 1-5. So please plan to come to Chicago on July 20th and let me know if an afternoon meeting presents a problem and I can counter-propose a morning meeting. They would also like to have an attorney only call prior to the 20th to work through the AOC issues. They would like to have this call the week of July 11th. Tom and Dan please let me know your availability that week for a call.

[REDACTED]

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/27/2011 08:43 AM -----

From: Craig Melodia/R5/USEPA/US

To: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>, Scott Hansen/R5/USEPA/US@EPA, "Thomas.Benson@usdoj.gov" <Thomas.Benson@usdoj.gov>, THOMAS SHORT/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>

Date: 06/20/2011 08:43 AM

Subject: Meeting in July w/Xcel

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

All: Looks like July 19-21 would work for Tom and me for a meeting with Xcel to discuss the AOC/SOW and PSVP. This meeting would be the larger legal/tech meeting to try and finalize the AOC. Please let me know if these dates work and if you have a preference. I will then try and schedule it with Xcel.

[REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-843

"Benson, Thomas (ENRD)"  
<Thomas.Benson@usdoj.gov>  
>

To Craig Melodia

cc

bcc

06/28/2011 04:35 PM

Subject RE: Meeting in July w/Xcel

Ok, the 14th is fine for me for the call. (The following week is worse!)  
No time preference. Thanks,  
tom

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov  
[mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Tuesday, June 28, 2011 9:20 AM  
To: Benson, Thomas (ENRD)  
Subject: RE: Meeting in July w/Xcel

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks,

Craig

From: "Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov>

To: Craig Melodia/R5/USEPA/US@EPA

Date: 06/27/2011 08:17 PM

Subject: RE: Meeting in July w/Xcel

Hi Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

The 20th works for me. Afternoon is fine. The week of the 11th is rough, but I am currently open the 12-14.

[REDACTED]

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov

[mailto:Melodia.Craig@epamail.epa.gov]

Sent: Monday, June 27, 2011 9:47 AM

To: Graff, Daniel A - DNR; Robinson, John H - DNR;

Hansen.Scott@epamail.epa.gov; Benson, Thomas (ENRD);

Short.Thomas@epamail.epa.gov; Frey.Rebecca@epamail.epa.gov; Dunn, James

R - DNR

Subject: Fw: Meeting in July w/Xcel

Ok, I got a call that Xcel is available for a group legal/tech meeting July 20th. They would like to meet from 1-5. So please plan to come to Chicago on July 20th and let me know if an afternoon meeting presents a problem and I can counter-propose a morning meeting. They would also like to have an attorney only call prior to the 20th to work through the AOC issues. They would like to have this call the week of July 11th. Tom and Dan please let me know your availability that week for a call.

[REDACTED]

Thanks,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/27/2011 08:43 AM

-----

From: Craig Melodia/R5/USEPA/US

To: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>,  
"Robinson, John H -

DNR" <John.Robinson@wisconsin.gov>, Scott

Hansen/R5/USEPA/US@EPA,

"Thomas.Benson@usdoj.gov" <Thomas.Benson@usdoj.gov>,  
THOMAS

SHORT/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA,  
"Dunn, James R - DNR"

<James.Dunn@Wisconsin.gov>

Date: 06/20/2011 08:43 AM

Subject: Meeting in July w/Xcel

All: Looks like July 19-21 would work for Tom and me for a meeting with Xcel to discuss the AOC/SOW and PSVP. This meeting would be the larger legal/tech meeting to try and finalize the AOC. Please let me know if these dates work and if you have a preference. I will then try and schedule it with Xcel. [REDACTED]

Thanks,

Craig

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

05-FOI-00906-11WH-844

**Craig Melodia /R5/USEPA/US**

06/30/2011 03:44 PM

To THOMAS SHORT

cc Larry Kyte, LAWRENCE SCHMITT, REBECCA FREY, Scott Hansen, Steven Padovani, Thomas.Benson

bcc

Subject Re: Fw: Ashland Lakefront: Expected "Good Faith Offers"

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Sorry, but I'm not in on the 5th. Can the rest of us meet on the 6th or 7th and send you a recommendation via email? [REDACTED]

THOMAS SHORT

Thanks for the update Craig. Unfort...

06/30/2011 03:31:53 PM

From: THOMAS SHORT/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Larry Kyte/R5/USEPA/US@EPA, LAWRENCE SCHMITT/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA, Steven Padovani/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov  
Date: 06/30/2011 03:31 PM  
Subject: Re: Fw: Ashland Lakefront: Expected "Good Faith Offers"

Thanks for the update Craig. Unfortunately I'm completely booked the 6th and 7th. I'm open Tuesday afternoon, July 5th.

Craig Melodia

All, I wanted to give a quick update on...

06/30/2011 02:31:27 PM

From: Craig Melodia/R5/USEPA/US  
To: Larry Kyte/R5/USEPA/US@EPA, LAWRENCE SCHMITT/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA, Steven Padovani/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov, THOMAS SHORT/R5/USEPA/US@EPA  
Date: 06/30/2011 02:31 PM  
Subject: Fw: Ashland Lakefront: Expected "Good Faith Offers"

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/30/2011 02:12 PM -----

From: Craig Melodia/R5/USEPA/US  
To: THOMAS SHORT/R5/USEPA/US@EPA  
Cc: Larry Kyte/R5/USEPA/US@EPA, LAWRENCE SCHMITT/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA, Steven Padovani/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov  
Date: 06/14/2011 08:17 AM  
Subject: Re: Ashland Lakefront: Expected "Good Faith Offers"

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

Craig

Craig

THOMAS SHORT Craig, We've extended GFO dates in... 06/14/2011 07:48:21 AM

From: THOMAS SHORT/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Larry Kyte/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov, LAWRENCE SCHMITT/R5/USEPA/US, Steven Padovani/R5/USEPA/US  
Date: 06/14/2011 07:48 AM  
Subject: Re: Ashland Lakefront: Expected "Good Faith Offers"

Craig,

[REDACTED]

Tom

Craig Melodia All, I wanted to let you that we met with... 06/13/2011 04:48:31 PM

From: Craig Melodia/R5/USEPA/US  
To: THOMAS SHORT/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Cc: Larry Kyte/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov  
Date: 06/13/2011 04:48 PM  
Subject: Ashland Lakefront: Expected "Good Faith Offers"

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Craig

05-FOI-00906-11WH-845

**Craig Melodia /R5/USEPA/US**

07/01/2011 11:30 AM

To Larry Kyte, LAWRENCE SCHMITT, REBECCA FREY, Scott Hansen, Steven Padovani, Thomas.Benson, THOMAS SHORT

cc

bcc

Subject Fw: Ashland/NSP Superfund Site

Correction, the City did respond. Here's the letter ...

-----Forwarded by Craig Melodia/R5/USEPA/US on 07/01/2011 11:29AM -----

To: Craig Melodia/R5/USEPA/US@EPA  
From: "Richard Yde" <RYDE@staffordlaw.com>  
Date: 07/01/2011 10:49AM  
cc: "Ted Waskowski" <TWASKOWSKI@staffordlaw.com>  
Subject: Ashland/NSP Superfund Site

Craig:

Attached is the letter we sent yesterday in case you want it electronically . I will be in most of next week if you want to talk.

Richard C. Yde  
Government Law Team Leader  
Stafford Rosenbaum LLP  
222 West Washington Avenue, Suite 900  
P.O. Box 1784  
Madison, Wisconsin 53701-1784  
Direct: 608.259.2639

Fax: 608.250.2600

Email: ryde@staffordlaw.com

[www.staffordlaw.com](http://www.staffordlaw.com)



If you receive this e-mail in error, use or disclosure is prohibited. Please notify me of the error by e-mail and delete this e-mail. Thank you.



Letter to Hansen EPA response to special notice letter.pdf



05-FOI-00906-11WH-846

**Craig Melodia /R5/USEPA/US**

07/12/2011 03:20 PM

To "Benson, Thomas (ENRD)"

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject RE: Ashland Ltr to Xcel - Revised

[REDACTED]

"Benson, Thomas (ENRD)"

No additional comments fr...

07/12/2011 01:45:19 PM

From: "Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov>  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 07/12/2011 01:45 PM  
Subject: RE: Ashland Ltr to Xcel - Revised

No additional comments from me

-----Original Message-----

From: Craig Melodia [mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Tuesday, July 12, 2011 2:16 PM  
To: Benson, Thomas (ENRD); Scott Hansen  
Subject: Ashland Ltr to Xcel - Revised

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

(See attached file: EPA-Response-Xcel-Ltr-7-12-11.docx)

05-FOI-00906-11WH-847

**Scott Hansen /R5/USEPA/US**

07/12/2011 04:15 PM

To Craig Melodia

cc

bcc

Subject Re: Ashland Ltr to Xcel - Revised

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Scott

Craig Melodia

Tom, Scott: My acting section chief ha...

07/12/2011 01:15:57 PM

From: Craig Melodia/R5/USEPA/US  
To: Thomas.Benson@usdoj.gov, Scott Hansen/R5/USEPA/US@EPA  
Date: 07/12/2011 01:15 PM  
Subject: Ashland Ltr to Xcel - Revised

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[attachment "EPA-Response-Xcel-Ltr-7-12-11.docx" deleted by Scott Hansen/R5/USEPA/US]

05-FOI-00906-11WH-848

**Scott Hansen /R5/USEPA/US**

07/13/2011 10:26 AM

To Craig Melodia

cc

bcc

Subject Re: Revised CD SOW

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Scott



ashland-EPA-reviseddraftRDRA-SOW-071311.doc

05-FOI-00906-11WH-849

**Craig Melodia /R5/USEPA/US**

07/14/2011 10:12 AM

To LAWRENCE SCHMITT

cc Larry Kyte

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Re: Fw: Meetings on 7/14 & 7/20 CANCELLED

[REDACTED]

LAWRENCE SCHMITT

Hi Craig -- Any surprises here o...

07/14/2011 09:31:15 AM

From: LAWRENCE SCHMITT/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Larry Kyte/R5/USEPA/US@EPA  
Date: 07/14/2011 09:31 AM  
Subject: Re: Fw: Meetings on 7/14 & 7/20 CANCELLED

Hi Craig --

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Larry

Lawrence Schmitt  
Superfund Division Enforcement Coordinator  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Blvd., SR-6J  
Chicago, IL 60604  
312-353-6565

Fw: Meetings on 7/14 & 7/20 CANCELLED

**Fw: Meetings on 7/14 & 7/20 CANCELLED**

**Craig Melodia** to: LAWRENCE SCHMITT, Larry Kyte

07/14/2011 08:23 AM

FYI ...

----- Forwarded by Craig Melodia/R5/USEPA/US on 07/14/2011 08:20 AM -----

From: <Karl.Karg@lw.com>  
To: REBECCA FREY/R5/USEPA/US@EPA, THOMAS SHORT/R5/USEPA/US@EPA, Craig Melodia/R5/USEPA/US@EPA, <Thomas.Benson@usdoj.gov>, <Daniel.Graff@Wisconsin.gov>, Scott Hansen/R5/USEPA/US@EPA  
Date: 07/13/2011 04:21 PM  
Subject: Meetings on 7/14 & 7/20 CANCELLED

All:

In light of the information we received yesterday regarding the Agency's decision to reject NSPW's GFO,

we regrettably need to cancel our legal call tomorrow and our larger meeting on 7/20.

We will need to review and consider your anticipated correspondence rejecting our GFO, and we need to reconvene with the other PRPs to see if we can make progress towards a joint offer.

Our intention is to remain in negotiations with EPA and to resolve the issues that remain before us. We regret that EPA will not extend the 60 day moratorium, but we are hopeful that EPA remains open to a cooperative resolution.

I will call Craig separately to discuss next steps.

Thanks –

**Karl A. Karg**

**LATHAM & WATKINS LLP**

233 South Wacker Drive, Suite 5800

Chicago, IL 60606

Direct Dial: +1.312.876.7691

Fax: +1.312.993.9767

Email: [karl.karg@lw.com](mailto:karl.karg@lw.com)

<http://www.lw.com>

This e-mail is sent by a law firm and may contain information that is privileged or confidential . If you are not the intended recipient, please delete the e-mail and any attachments and notify us immediately.

\*\*\*\*\*  
\*\*\*\*\*

To comply with IRS regulations, we advise you that any discussion of Federal tax issues in this e-mail was not intended or written to be used, and cannot be used by you, (i) to avoid any penalties imposed under the Internal Revenue Code or (ii) to promote, market or recommend to another party any transaction or matter addressed herein.

For more information please go to <http://www.lw.com/docs/irs.pdf>

\*\*\*\*\*  
\*\*\*\*\*

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

05-FOI-00906-11WH-850

**THOMAS  
SHORT/R5/USEPA/US**  
07/14/2011 12:48 PM

To Scott Hansen  
cc Craig Melodia, REBECCA FREY, Thomas.Benson  
bcc  
Subject Re: Ashland: Meeting with the City

I'm on vacation from July 21st through August 5th then on EPA travel the week of August 8th which is why the 20th was so important.

Scott Hansen Unfortunately, those are the three days... 07/14/2011 12:39:25 PM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: REBECCA FREY/R5/USEPA/US@EPA, THOMAS SHORT/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov  
Date: 07/14/2011 12:39 PM  
Subject: Re: Ashland: Meeting with the City

Unfortunately, those are the three days I am on vacation. I am available the 25th or 26th. I will be back in the office Aug. 1st.

Craig Melodia Scot, Tom: The city attorneys called... 07/14/2011 12:22:02 PM

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov  
Cc: REBECCA FREY/R5/USEPA/US@EPA, THOMAS SHORT/R5/USEPA/US@EPA  
Date: 07/14/2011 12:22 PM  
Subject: Ashland: Meeting with the City

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-851

Scott Hansen /R5/USEPA/US

07/21/2011 09:01 AM

To Craig Melodia

cc

bcc

Subject Fw: Kreher Park Boat Launch Dredging

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

From: "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>  
To: Scott Hansen/R5/USEPA/US@EPA  
Cc: "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>  
Date: 07/21/2011 08:30 AM  
Subject: FW: Kreher Park Boat Launch Dredging

---

Any thoughts?

Jamie Dunn  
Hydrogeologist  
Remediation & Redevelopment Program  
Northern Region - Spooner  
715 635-4049

---

**From:** Alyssa Core [mailto:ACore@coawi.org]  
**Sent:** Thursday, July 21, 2011 8:14 AM  
**To:** Dunn, James R - DNR  
**Cc:** Spangberg, John E - DNR  
**Subject:** Kreher Park Boat Launch Dredging

Good Morning Jamie,  
We're looking at dredging the Kreher Park Boat Launch and will need a location to dry the dredged materials prior to transport. Previously, materials were dried on the east side of the former wastewater treatment plant. However, that area is located within the Superfund Site, and I wanted to verify whether this would still be possible at that location. Disposal would be offsite (likely at the airport as they have been permitted to fill a pond on the property) once the material was dry enough to move.

Thanks,  
Alyssa

Alyssa Core  
Environmental Projects Coordinator  
City of Ashland  
2020 6th Street East  
Ashland, WI 54806  
Phone: 715.682.7969  
Fax: 715.682.7907  
Email: [acore@coawi.org](mailto:acore@coawi.org)

*This e-mail is intended solely for the person or entity to which it is addressed and may contain confidential and/or privileged information. Any review, dissemination, copying, printing, or other use of this e-mail by persons or entities other than the addressee is prohibited. If you have received this e-mail in error, please contact the sender immediately and delete the material from your computer.*



05-FOI-00906-11WH-852

**Scott Hansen /R5/USEPA/US**

07/21/2011 10:43 AM

To Craig Melodia

cc John.Robinson, REBECCA FREY, THOMAS SHORT,  
Thomas.Benson

bcc

Subject Re: Ashland Lakefront: PRP Group Meeting

Craig,

I can meet on Aug. 15th or 16th but the rest of the week I will be visiting a site. I should be available the week of Aug. 29th.

Craig Melodia

All, Does it make sense to schedule a...

07/21/2011 10:10:24 AM

From: Craig Melodia/R5/USEPA/US

To: John.Robinson@wisconsin.gov, Thomas.Benson@usdoj.gov, THOMAS  
SHORT/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott  
Hansen/R5/USEPA/US@EPA

Date: 07/21/2011 10:10 AM

Subject: Ashland Lakefront: PRP Group Meeting

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-853

**REBECCA  
FREY/R5/USEPA/US**  
07/21/2011 11:20 AM

To Craig Melodia  
cc  
bcc  
Subject Re: Ashland Lakefront: PRP Group Meeting

Craig,

I'm available the week of Aug 15 and most of the week of Aug 29 -- the one day I'm not currently available is Aug.30.

Tom Short is out of the office on vacation and then travel, and his first day back is Aug.15 -- not sure if you wanted him at the PRP group meeting or not.

- Becky

Craig Melodia All, Does it make sense to schedule a... 07/21/2011 10:10:24 AM

From: Craig Melodia/R5/USEPA/US  
To: John.Robinson@wisconsin.gov, Thomas.Benson@usdoj.gov, THOMAS  
SHORT/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott  
Hansen/R5/USEPA/US@EPA  
Date: 07/21/2011 10:10 AM  
Subject: Ashland Lakefront: PRP Group Meeting

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-854

**Craig Melodia /R5/USEPA/US**

07/21/2011 11:23 AM

To REBECCA FREY

cc

bcc

Subject Re: Ashland Lakefront: PRP Group Meeting

Thanks. I was going to leave it up to Tom if he wants to attend, but don't think it's necessary.

REBECCA FREY

Craig, I'm available the week of Aug...

07/21/2011 11:20:38 AM

From: REBECCA FREY/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 07/21/2011 11:20 AM  
Subject: Re: Ashland Lakefront: PRP Group Meeting

Craig,

I'm available the week of Aug 15 and most of the week of Aug 29 -- the one day I'm not currently available is Aug.30.

Tom Short is out of the office on vacation and then travel, and his first day back is Aug.15 -- not sure if you wanted him at the PRP group meeting or not.

- Becky

Craig Melodia

All, Does it make sense to schedule a...

07/21/2011 10:10:24 AM

From: Craig Melodia/R5/USEPA/US  
To: John.Robinson@wisconsin.gov, Thomas.Benson@usdoj.gov, THOMAS  
SHORT/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott  
Hansen/R5/USEPA/US@EPA  
Date: 07/21/2011 10:10 AM  
Subject: Ashland Lakefront: PRP Group Meeting

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-855

**Helen Mays/R5/USEPA/US**

07/26/2011 11:25 AM

To Craig Melodia

cc Deloris Johnson

bcc

Subject Re: Ashland/Northern States Power Site 05-FOI-00906-11

Hi Craig,

Glad to hear from you, yes the due date is this Friday, 7-29-11 do you think we can make the due date or should I call and get an extension.

I'm getting ready to work on the letter now, also, is there an exemption(s).

Craig Melodia

[Hi Helen: The extension on this FOIA e...](#)

07/26/2011 11:19:48 AM

From: Craig Melodia/R5/USEPA/US  
To: Helen Mays/R5/USEPA/US@EPA  
Cc: Deloris Johnson/R5/USEPA/US@EPA  
Date: 07/26/2011 11:19 AM  
Subject: Ashland/Northern States Power Site 05-FOI-00906-11

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Thank you,

Craig

05-FOI-00906-11WH-856

**Doug Zamastil /R5/USEPA/US**

07/27/2011 07:52 AM

To CatherineL Fox, Larry Kyte, LAWRENCE SCHMITT

cc

bcc

Subject ORC Reports

Catherine,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]



rods\_2011\_2012\_q3.pdf



negotiations\_2010\_2011\_q3.pdf



negotiations\_2011\_2012\_q3.pdf



rods\_2010\_2011\_q3.pdf

Doug Zamastil  
Environmental Protection Specialist  
US EPA - Superfund Division  
312-886-0650

05-FOI-00906-11WH-857

**Craig Melodia /R5/USEPA/US**

07/28/2011 11:00 AM

To Scott Hansen, REBECCA FREY, Sharon Jaffess,  
LAWRENCE SCHMITT, Larry Kyte, THOMAS SHORT,  
Wendy Carney

cc Helen Mays, Ann Coyle, Joanna Glowacki

bcc

Subject Ashland Lakefront Site - FOIA (05-RIN-00906-11)

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

EPA Region 5 received a FOIA request dated May 19, 2011. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Thank you,

Craig Melodia

05-FOI-00906-11WH-858

**Craig Melodia /R5/USEPA/US**  
07/28/2011 11:21 AM

To Scott Hansen, REBECCA FREY, Sharon Jaffess,  
LAWRENCE SCHMITT, Larry Kyte, THOMAS SHORT,  
Wendy Carney  
cc Helen Mays, Ann Coyle, Joanna Glowacki, David Hoff  
bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Fw: Ashland Lakefront Site - FOIA (05-RIN-00906-11)

[REDACTED]  
[REDACTED]  
[REDACTED]

----- Forwarded by Craig Melodia/R5/USEPA/US on 07/28/2011 11:18 AM -----

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Sharon  
Jaffess/R5/USEPA/US@EPA, LAWRENCE SCHMITT/R5/USEPA/US@EPA, Larry  
Kyte/R5/USEPA/US@EPA, THOMAS SHORT/R5/USEPA/US@EPA, Wendy  
Carney/R5/USEPA/US@EPA  
Cc: Helen Mays/R5/USEPA/US@EPA, Ann Coyle/R5/USEPA/US@EPA, Joanna  
Glowacki/R5/USEPA/US@EPA  
Date: 07/28/2011 11:00 AM  
Subject: Ashland Lakefront Site - FOIA (05-RIN-00906-11)

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

EPA Region 5 received a FOIA request dated May 19, 2011.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Thank you,

Craig Melodia

05-FOI-00906-11WH-859

**Craig Melodia /R5/USEPA/US**

07/28/2011 11:48 AM

To Scott Hansen, REBECCA FREY, Sharon Jaffess,  
LAWRENCE SCHMITT, Larry Kyte, THOMAS SHORT,  
Wendy Carney, THOMAS MARKS, Fouad Dababneh, Jon  
Peterson, Gary Steinbauer

cc Joanna Glowacki, Helen Mays, Deloris Johnson, Ann Coyle,  
Anna Rzeznik, David Hoff

bcc

Subject Ashland Lakefront Superfund Site FOIA - E-file Database  
Instructions

Good afternoon,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

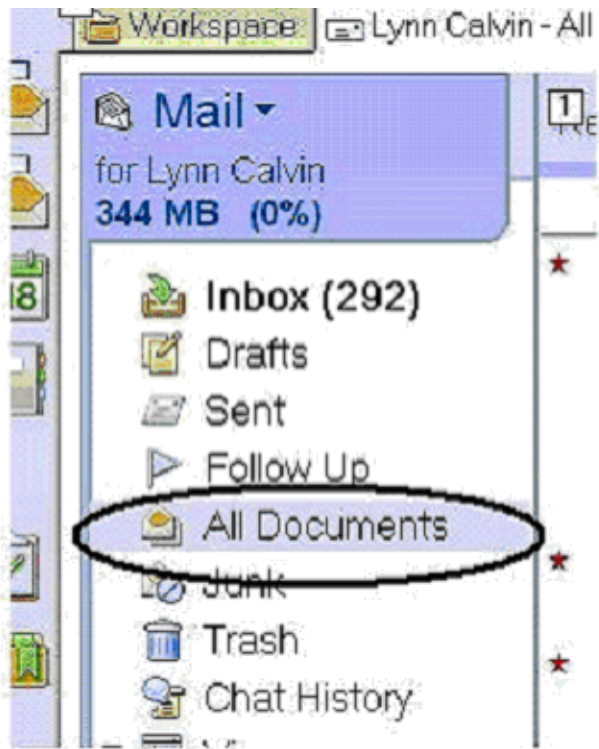
[REDACTED]



[REDACTED]

[REDACTED]

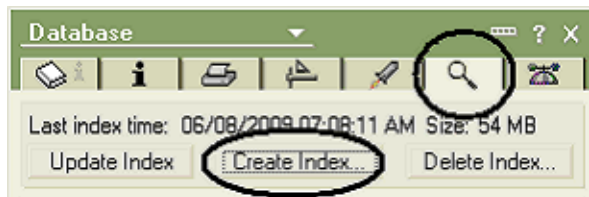
[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]





[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] 

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

3.) [REDACTED]

[REDACTED]

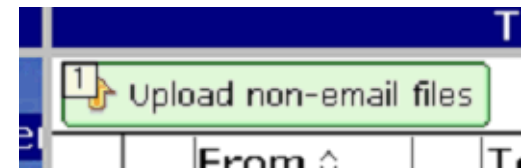
[REDACTED] 

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

05-FOI-00906-11WH-860

**Craig Melodia /R5/USEPA/US**

07/28/2011 02:22 PM

To Briana Bill, Patricia Krause

cc

bcc

Subject Fw: Ashland Lakefront Superfund Site FOIA - E-file  
Database Instructions

Bir, Patti: I almost forgot you! I know you wouldn't want to miss out on all the fun, so please see attached (sorry!).

----- Forwarded by Craig Melodia/R5/USEPA/US on 07/28/2011 02:21 PM -----

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Sharon Jaffess/R5/USEPA/US@EPA, LAWRENCE SCHMITT/R5/USEPA/US@EPA, Larry Kyte/R5/USEPA/US@EPA, THOMAS SHORT/R5/USEPA/US@EPA, Wendy Carney/R5/USEPA/US@EPA, THOMAS MARKS/R5/USEPA/US@EPA, Fouad Dababneh/R5/USEPA/US@EPA, Jon Peterson/R5/USEPA/US@EPA, Gary Steinbauer/R5/USEPA/US@EPA  
Cc: Joanna Glowacki/R5/USEPA/US@EPA, Helen Mays/R5/USEPA/US@EPA, Deloris Johnson/R5/USEPA/US@EPA, Ann Coyle/R5/USEPA/US@EPA, Anna Rzeznik/R5/USEPA/US@EPA, David Hoff/R5/USEPA/US@EPA  
Date: 07/28/2011 11:48 AM  
Subject: Ashland Lakefront Superfund Site FOIA - E-file Database Instructions

Good afternoon,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

a



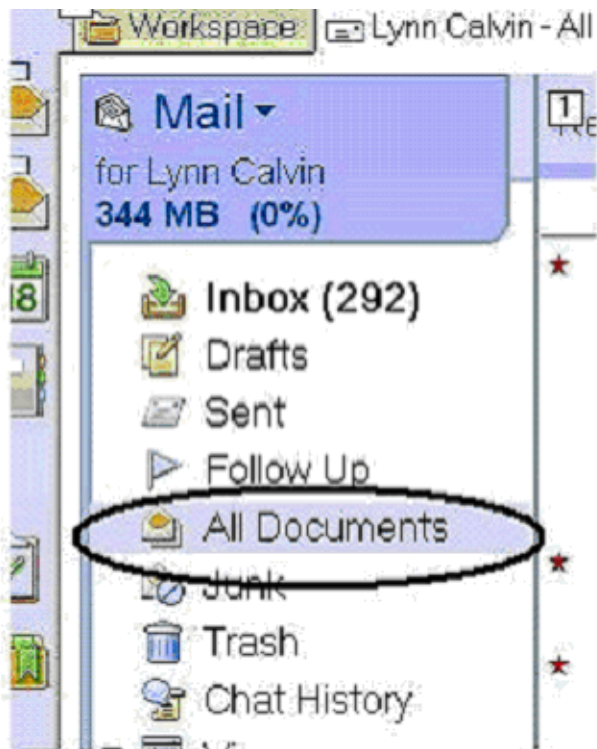
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

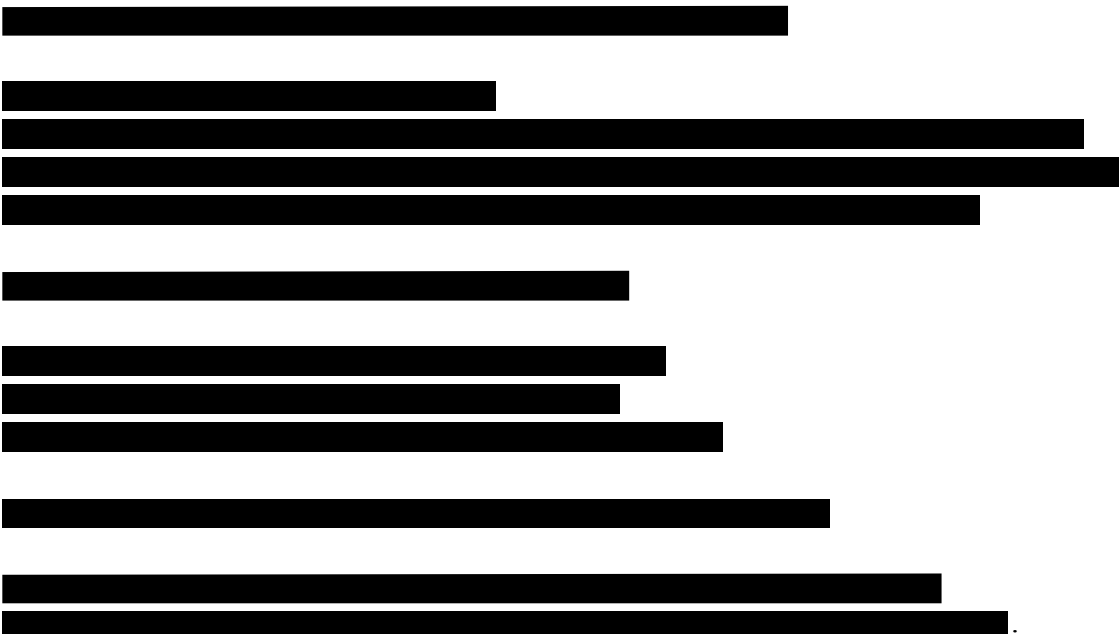
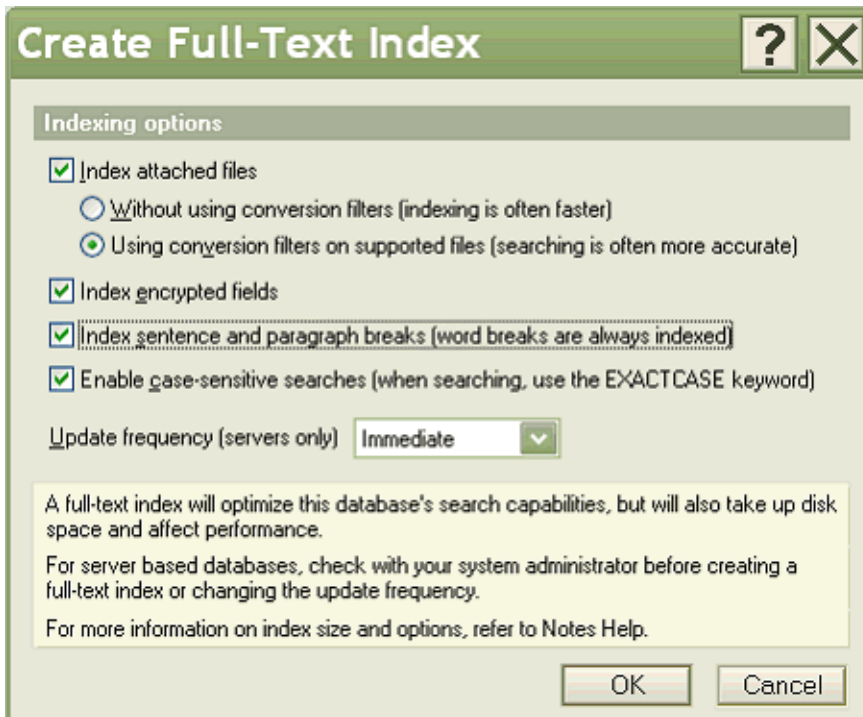
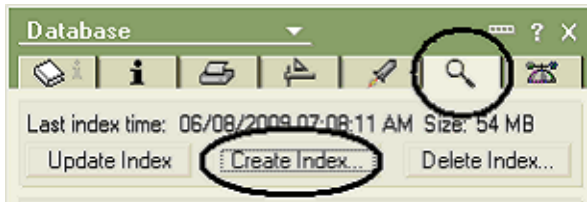
[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]





\_\_\_\_\_

██████████

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

---

---

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ 

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[REDACTED]

[REDACTED]

\_\_\_\_\_

1 [REDACTED]  
1 [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]


[REDACTED]  
[REDACTED]

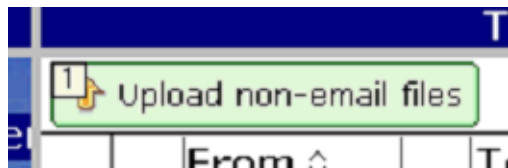
[REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

2.) [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]   
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED] e [REDACTED]  
[REDACTED]

05-FOI-00906-11WH-861

**Jon Peterson**

To

cc

bcc

Subject UPLOAD C:\ashland\Ashland NSP ROD Steps.wpd.doc



- Ashland NSP ROD Steps.wpd.doc

05-FOI-00906-11WH-862

**Jon Peterson**

To

cc

bcc

Subject UPLOAD C:\ashland\Ashland Q report octdec02.doc



- Ashland Q report octdec02.doc

05-FOI-00906-11WH-863

**Craig Melodia**

To

cc

bcc

Subject UPLOAD C:\Documents and Settings\cmelodia\My  
Documents\Ashland FOIA\RDRA\AOC-Pilot\Draft  
AOC-2-23-11-SHComments.docx



- Draft AOC-2-23-11-SHComments.docx

05-FOI-00906-11WH-864

**Craig Melodia**

To

cc

bcc

Subject UPLOAD C:\Documents and Settings\cmelodia\My  
Documents\Ashland FOIA\RDRA\AOC-Pilot\Draft  
AOC-2-23-11SH-Compare.docx



- Draft AOC-2-23-11SH-Compare.docx

05-FOI-00906-11WH-865

**Craig Melodia**

To

cc

bcc

Subject UPLOAD C:\Documents and Settings\cmelodia\My  
Documents\Ashland FOIA\RDRA\AOC-Pilot\Copy of Draft  
AOC-2-23-11-SHComments.docx



- Copy of Draft AOC-2-23-11-SHComments.docx



05-FOI-00906-11WH-866

**Craig Melodia**

To

cc

bcc

Subject UPLOAD C:\Documents and Settings\cmelodia\My  
Documents\Ashland FOIA\RDRA\AOC-Pilot\Copy of Draft  
AOC-2-23-11SH-Compare.docx



- Copy of Draft AOC-2-23-11SH-Compare.docx

05-FOI-00906-11WH-867

**Craig Melodia**

To

cc

bcc

Subject UPLOAD C:\Documents and Settings\cmelodia\My  
Documents\Ashland FOIA\RDRA\AOC-Pilot\Copy (2) of Draft  
AOC-2-23-11-SHComments.docx



- Copy (2) of Draft AOC-2-23-11-SHComments.docx

05-FOI-00906-11WH-868

**Craig Melodia**

To

cc

bcc

Subject UPLOAD C:\Documents and Settings\cmelodia\My  
Documents\Ashland FOIA\RDRA\AOC-Pilot\Copy (2) of Draft  
AOC-2-23-11SH-Compare.docx



- Copy (2) of Draft AOC-2-23-11SH-Compare.docx

05-FOI-00906-11WH-869

**Craig Melodia**

To

cc

bcc

Subject UPLOAD C:\Documents and Settings\cmelodia\My  
Documents\Ashland FOIA\RDRA\Special Notice  
Ltr\SNL-Draft-4-6-11-skx.docx



- SNL-Draft-4-6-11-skx.docx

05-FOI-00906-11WH-870

**Craig Melodia**

To

cc

bcc

Subject UPLOAD C:\Documents and Settings\cmelodia\My  
Documents\Ashland FOIA\RI-AOC\jons comments on AOC  
and SOW.wpd



- jons comments on AOC and SOW.wpd

05-FOI-00906-11WH-871

**Craig Melodia /R5/USEPA/US**

12/06/2010 11:22 AM

To REBECCA FREY

cc Scott Hansen

bcc

Subject Re: Fw: December 14 meeting

[REDACTED]

REBECCA FREY [Craig- Thurs at 10a doesn't work for...](#) 12/06/2010 11:06:15 AM

From: REBECCA FREY/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Scott Hansen/R5/USEPA/US@EPA  
Date: 12/06/2010 11:06 AM  
Subject: Re: Fw: December 14 meeting

Craig-  
Thurs at 10a doesn't work for me -- have another meeting already scheduled for that time.  
- Becky

Craig Melodia [Thanks. How about Thursday at 10 am...](#) 12/06/2010 10:56:24 AM

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA  
Cc: REBECCA FREY/R5/USEPA/US@EPA  
Date: 12/06/2010 10:56 AM  
Subject: Re: Fw: December 14 meeting

Thanks. How about Thursday at 10 am for a brief meeting? I can come to 6 and will try and reserve a room and send you and Becky an invite.

Scott Hansen [Craig, I am available today and most of...](#) 12/06/2010 10:40:34 AM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: REBECCA FREY/R5/USEPA/US@EPA  
Date: 12/06/2010 10:40 AM  
Subject: Re: Fw: December 14 meeting

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege  
Exemption 7(a) - Interference with enforcement proceedings

Craig,

[REDACTED]

Scott

Craig Melodia [FYi - we're having an attorney meeting...](#) 12/06/2010 10:34:53 AM

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA

Date: 12/06/2010 10:34 AM  
Subject: Fw: December 14 meeting

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege  
Exemption 7(a) - Interference with enforcement proceedings

[REDACTED]

----- Forwarded by Craig Melodia/R5/USEPA/US on 12/06/2010 10:29 AM -----

From: Craig Melodia/R5/USEPA/US  
To: TBenson@ENRD.USDOJ.GOV  
Date: 12/06/2010 10:11 AM  
Subject: Fw: December 14 meeting

Tom: We are confirmed for the 14th (next Tues). FYI, Karl Karg is a former ORC attorney. I'll reserve a room and let you know the location of the meeting. Thanks

----- Forwarded by Craig Melodia/R5/USEPA/US on 12/06/2010 10:09 AM -----

From: "Carney, Kristen S" <Kristen.S.Carney@xcelenergy.com>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: "Karl.Karg@lw.com" <Karl.Karg@lw.com>, "Kelly.Richardson@LW.com" <Kelly.Richardson@LW.com>, "Crass, David A (22267)" <DACrass@michaelbest.com>  
Date: 12/03/2010 03:34 PM  
Subject: RE: December 14 meeting

Craig,  
Thank you for coordinating schedules with Tom. We look forward to meeting with you on the 14th. I wanted to let you know that we have recently added folks to our team, including Karl Karg and Kelly Richardson of Latham & Watkins. They plan to attend on the 14th, along with myself and Dave Crass. When you have the logistics pinned down in terms of a conference room, can you please email everyone on this distribution as I will be out of the country next week and may have limited access to email. I understand we are thinking about at 10 AM start time and agree that we may want to block about 3 hours for the meeting. Thanks so much.

Kristen Shults Carney

Xcel Energy | Responsible By Nature

Assistant General Counsel

1800 Larimer, 11th Floor, Denver, CO 80202

P: 303-294-2753 F: 303-294-2988

E: kristen.s.carney@xcelenergy.com

---

XCELENERGY.COM

Please consider the environment before printing this email

This email is covered by the Electronic Communications Privacy Act, 18 USC Sections 2510-2521. This email, and any attachments, may contain confidential, private and/or privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply mail and delete all copies of this message and any attachments.

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Friday, December 03, 2010 11:41 AM  
To: Carney, Kristen S  
Subject: Re: December 14 meeting

Still work for you?

From: "Carney, Kristen S" <Kristen.S.Carney@xcelenergy.com>  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 12/03/2010 11:56 AM  
Subject: Re: December 14 meeting

I did just confirm that the 14th works for outside counsel. I will try to call you later this afternoon to discuss logistics.

From: Carney, Kristen S  
To: Craig Melodia (melodia.craig@epa.gov)  
Sent: Fri Dec 03 09:41:42 2010  
Subject: December 14 meeting

Craig,  
I am just trying to confirm availability for a meeting on the 14th on my end but should be able to do so by the end of the day today. It looks like December 14 with a mid-morning start and a 3-4 hour meeting should work for a lawyer only meeting on my end, but I am just waiting on final confirmation from outside counsel. I will update you as soon as I can.  
Thanks.

Kristen Shults Carney  
Xcel Energy | Responsible By Nature  
Assistant General Counsel  
1800 Larimer, 11th Floor, Denver, CO 80202  
P: 303-294-2753 F: 303-294-2988

E: kristen.s.carney@xcelenergy.com



---

XCELENERGY.COM

Please consider the environment before printing this email

This email is covered by the Electronic Communications Privacy Act, 18 USC Sections 2510-2521. This email, and any attachments, may contain confidential, private and/or privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply mail and delete all copies of this message and any attachments.

05-FOI-00906-11WH-872

**Craig Melodia /R5/USEPA/US**

01/05/2011 09:10 AM

To "Benson, Thomas (ENRD)"

cc

bcc

Subject RE: Ashland Superfund Site - Xcel Documents

Do you want to say 4 eastern, or if that's too close to your other meeting how about 2 eastern.

"Benson, Thomas (ENRD)"

Why don't we talk this after...

01/05/2011 08:46:58 AM

---

From: "Benson, Thomas (ENRD)" <TBenson@ENRD.USDOJ.GOV>  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 01/05/2011 08:46 AM  
Subject: RE: Ashland Superfund Site - Xcel Documents

---

Why don't we talk this afternoon, so I can read this and digest.

I've got a meeting at 3 eastern, but am otherwise available. Want time works for you?

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov  
[mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Wednesday, January 05, 2011 9:41 AM  
To: Benson, Thomas (ENRD)  
Subject: Fw: Ashland Superfund Site - Xcel Documents

Tom, here it is ...

----- Forwarded by Craig Melodia/R5/USEPA/US on 01/05/2011 08:40 AM  
-----

From: <Karl.Karg@lw.com>

To: Craig Melodia/R5/USEPA/US@EPA

Cc: <DACrass@michaelbest.com>, <Daniel.Graff@Wisconsin.gov>,  
<Kelly.Richardson@LW.com>, <TBenson@ENRD.USDOJ.GOV>,  
<Kristen.S.Carney@xcelenergy.com>

Date: 01/05/2011 08:33 AM

Subject: Ashland Superfund Site - Xcel Documents

Craig:

In advance of our call tomorrow and our meeting next week, please find attached the following documents:

1. A short cover letter.
2. A cover letter to our Blueprint with a detailed explanation of the merits of our proposal.
3. A Conceptual Blueprint for Xcel's proposal.

I am also hand delivering a hard copies to your office this morning.

We look forward to talking with you tomorrow, and we look forward to seeing all of you next week in Madison.

Please let me know if you have any questions -

Karl

Karl A. Karg

LATHAM & WATKINS LLP  
233 South Wacker Drive, Suite 5800  
Chicago, IL 60606  
Direct Dial: +1.312.876.7691  
Fax: +1.312.993.9767  
Email: karl.karg@lw.com  
<http://www.lw.com>

This e-mail is sent by a law firm and may contain information that is privileged or confidential.

If you are not the intended recipient, please delete the e-mail and any attachments and notify us immediately.

(See attached file: Melodia Cover.pdf) (See attached file: Blueprint.pdf)

(See attached file: Cover Letter to Blueprint.pdf)

05-FOI-00906-11WH-873

**Craig Melodia /R5/USEPA/US**

05/10/2011 10:21 AM

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege  
Exemption 7(a) - Interference with enforcement proceedings

To Scott Hansen, REBECCA FREY, THOMAS SHORT  
cc Deborah Garber, Thomas.Benson  
bcc  
Subject Fw: Markups of AOC and SOW

[REDACTED]

[REDACTED]

----- Forwarded by Craig Melodia/R5/USEPA/US on 05/10/2011 10:10 AM -----

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, THOMAS SHORT/R5/USEPA/US@EPA  
Cc: Deborah Garber/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov  
Date: 05/10/2011 08:26 AM  
Subject: Fw: Markups of AOC and SOW

[REDACTED]

----- Forwarded by Craig Melodia/R5/USEPA/US on 05/10/2011 08:19 AM -----

From: <Karl.Karg@lw.com>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: <Thomas.Benson@usdoj.gov>, <Daniel.Graff@Wisconsin.gov>  
Date: 05/09/2011 04:29 PM  
Subject: Markups of AOC and SOW

Craig:

Please find attached a cover letter, redline and clean versions of our revisions to the AOC and the SOW, and two timeline documents. Hard copies should arrive tomorrow via FedEx.

As we discussed, we anticipate providing the additional attachments to the SOW over the next few weeks, and scheduling an all-hands meeting following your review of all of the documents. We believe it would still be worthwhile to discuss the AOC and other issues among the lawyers on May 16, so please let us know if you are amenable to scheduling a meeting on that date. As we indicated, the PRPs are meeting on May 18, so some discussion with EPA prior to that PRP meeting may prove beneficial.

In the meantime, please let me know if you have any questions. By separate email, I will send MS Word

version of the AOC and the SOW for ease of use and further markups .

Thanks -

<<DOC.PDF>> <<DOC.PDF>> <<DOC.PDF>> <<DOC.PDF>> <<DOC.PDF>> <<NSPW Ashland NSPW Proposed Schedule.pdf>> <<NSPW Ashland EPA Proposed Schedule.pdf>>

**Karl A. Karg**

**LATHAM & WATKINS LLP**

233 South Wacker Drive, Suite 5800

Chicago, IL 60606

Direct Dial: +1.312.876.7691

Fax: +1.312.993.9767

Email: [karl.karg@lw.com](mailto:karl.karg@lw.com)

<http://www.lw.com>

This e-mail is sent by a law firm and may contain information that is privileged or confidential .  
If you are not the intended recipient , please delete the e-mail and any attachments and notify us

immediately.[attachment "DOC.PDF" deleted by Craig Melodia/R5/USEPA/US] [attachment "DOC.PDF" deleted by Craig Melodia/R5/USEPA/US] [attachment "DOC.PDF" deleted by Craig Melodia/R5/USEPA/US] [attachment "DOC.PDF" deleted by Craig Melodia/R5/USEPA/US] [attachment "NSPW Ashland NSPW Proposed Schedule.pdf" deleted by Craig Melodia/R5/USEPA/US] [attachment "NSPW Ashland EPA Proposed Schedule.pdf" deleted by Craig Melodia/R5/USEPA/US]

05-FOI-00906-11WH-874

**Craig Melodia /R5/USEPA/US**

05/18/2011 04:03 PM

To "Benson, Thomas (ENRD)"

cc

bcc

Subject Re: FW: NRD Settlement Letter - Ashland/NSP Superfund Site

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege  
Exemption 7(a) - Interference with enforcement proceedings

Tom:

"Benson, Thomas (ENRD)"

Hi All,

05/18/2011 03:51:38 PM

From: "Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov>  
To: "Betsy Galbraith" <Betsy\_Galbraith@fws.gov>, <Bruce.Baker@Wisconsin.gov>, "Charles.Ledin@Wisconsin.gov" <Charles.Ledin@Wisconsin.gov>, "Dave Warburton" <Dave\_Warburton@fws.gov>, "David Ujke" <dujke@mail.redcliff-nsn.gov>, <environmental@badriver.com>, "Kevin Lowry" <Kevin\_Lowry@fws.gov>, <larmagost@redcliff-nsn.gov>, <Louise\_Clemency@fws.gov>, <Marguerite.Matera@noaa.gov>, "Mark Brouder" <Mark\_Brouder@fws.gov>, <rmaday@badriver.com>, "Sarah Warner" <Sarah\_Warner@fws.gov>, "souliere@badriver.com" <souliere@badriver.com>, "Steve Galarneau" <Stephen.Galarneau@dnr.state.wi.us>, <Thomas.Jerow@Wisconsin.gov>, "Tim Funk" <tribalplanner@redcliff-nsn.gov>, <Todd.Goeks@noaa.gov>, "Tom Kerr" <Tom\_Kerr@fws.gov>, "Tracey Ledder" <tracey.ledder@redcliff-nsn.gov>  
Cc: Craig Melodia/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA, <Daniel.Graff@Wisconsin.gov>, <john.robinson@Wisconsin.gov>  
Date: 05/18/2011 03:51 PM  
Subject: FW: NRD Settlement Letter - Ashland/NSP Superfund Site

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege  
Exemption 7(a) - Interference with enforcement proceedings

Hi All,

Thanks,

Tom

**From:** Donovan, David D [mailto:david.d.donovan@xcelenergy.com]  
**Sent:** Wednesday, May 18, 2011 10:10 AM  
**To:** Benson, Thomas (ENRD)  
**Cc:** Carney, Kristen S; Swenson, Michael L; Winslow, Jerry C  
**Subject:** NRD Settlement Letter - Ashland/NSP Superfund Site

Mr. Benson:

Attached is a letter describing a settlement offer for the Natural Resource Damages related to the Ashland/Northern States Power Lake Front Superfund Site. If you have any questions regarding the contents of the attached letter, please contact Kristen Carney at 303-294-2753 or by e-mail at [kristen.s.carney@xcelenergy.com](mailto:kristen.s.carney@xcelenergy.com).

A paper copy of this letter will be mailed to you today, as well.

**David Donovan**

**Xcel Energy | NSPW**

**Manager, Regulatory Policy**

**P: 608.280.7308 F: 608.280-7359**

**E: [david.d.donovan@xcelenergy.com](mailto:david.d.donovan@xcelenergy.com)**

[attachment "Settlement Offer Ltr - 5-18-2011.pdf" deleted by Craig Melodia/R5/USEPA/US]

05-FOI-00906-11WH-875

**Craig Melodia /R5/USEPA/US**

05/20/2011 09:42 AM

To "Benson, Thomas (ENRD)"

cc

bcc

Subject Re: FW: NRD Settlement Letter - Ashland/NSP Superfund Site

Yes, 9 am works for me.

-----"Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov> wrote: -----

To: Craig Melodia/R5/USEPA/US@EPA

From: "Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov>

Date: 05/20/2011 08:05AM

Subject: FW: NRD Settlement Letter - Ashland/NSP Superfund Site

Hi Craig, if you want to join the call, can you do 9 a.m. Monday (the later time won't work for me)...

**From:** Jerow, Thomas S - DNR [mailto:Thomas.Jerow@wisconsin.gov]

**Sent:** Thursday, May 19, 2011 6:05 PM

**To:** Benson, Thomas (ENRD)

**Cc:** Galarneau, Stephen G - DNR; Graff, Daniel A - DNR; Robinson, John H - DNR

**Subject:** RE: NRD Settlement Letter - Ashland/NSP Superfund Site

██████████

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege  
Exemption 7(a) - Interference with enforcement proceedings

██  
██  
██  
██  
██

█ ███  
█ ███



Northern Region Water Leader  
Wisconsin Department of Natural Resources  
107 Sutliff Ave.  
Rhineland, WI 54501  
(☎) **phone:** (715) 365-8901



(☎) **fax:** (715) 365-8935  
(✉) **e-mail:** Thomas.Jerow@wisconsin.gov

---

**From:** Benson, Thomas (ENRD) [mailto:Thomas.Benson@usdoj.gov]  
**Sent:** Wednesday, May 18, 2011 03:51 PM  
**To:** Betsy Galbraith; Bruce.Baker@Wisconsin.gov; Charles.Ledin@Wisconsin.gov; Dave Warburton; David Ujke; Bad River Band - DMA; Kevin Lowry; larmagost@redcliff-nsn.gov; Louise\_Clemency@fws.gov; Marguerite.Matera@noaa.gov; Mark Brouder; rmaday@badriver.com; Sarah Warner; souliere@badriver.com; Galarneau, Stephen G - DNR; Jerow, Thomas S - DNR; Tim Funk; Todd.Goeks@noaa.gov; Tom Kerr; Tracey Ledder  
**Cc:** Melodia.Craig@epamail.epa.gov; Hansen.Scott@epamail.epa.gov; Graff, Daniel A - DNR; Robinson, John H - DNR  
**Subject:** FW: NRD Settlement Letter - Ashland/NSP Superfund Site

Hi All,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege  
Exemption 7(a) - Interference with enforcement proceedings

[REDACTED]

[REDACTED]

Thanks,

Tom

**From:** Donovan, David D [mailto:david.d.donovan@xcelenergy.com]  
**Sent:** Wednesday, May 18, 2011 10:10 AM  
**To:** Benson, Thomas (ENRD)  
**Cc:** Carney, Kristen S; Swenson, Michael L; Winslow, Jerry C  
**Subject:** NRD Settlement Letter - Ashland/NSP Superfund Site

Mr. Benson:

Attached is a letter describing a settlement offer for the Natural Resource Damages related to the Ashland/Northern States Power Lake Front Superfund Site. If you have any questions regarding the contents of the attached letter, please contact Kristen Carney at 303-294-2753 or by e-mail at [kristen.s.carney@xcelenergy.com](mailto:kristen.s.carney@xcelenergy.com).

A paper copy of this letter will be mailed to you today, as well.

**David Donovan**

**Xcel Energy | NSPW**

**Manager, Regulatory Policy**

**P: 608.280.7308 F: 608.280-7359**

**E: [david.d.donovan@xcelenergy.com](mailto:david.d.donovan@xcelenergy.com)**

05-FOI-00906-11WH-876

**Craig Melodia /R5/USEPA/US**

07/06/2011 08:20 AM

To "Benson, Thomas (ENRD)"

cc

bcc

Subject RE: Ashland Lakefront: Expected "Good Faith Offers"

Tom: There's a call this morning with WDNR at 11 east and a meeting tomorrow with SF managers at 11 east.

Here's the call in # and the City's letter if you don't have it. I have not received anything from the RRs.

(866) 299-3188  
Code: 3128866610



City-Ltr.pdf

"Benson, Thomas (ENRD)"

I'm around next week. Is th...

07/01/2011 05:43:49 PM

From: "Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov>  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 07/01/2011 05:43 PM  
Subject: RE: Ashland Lakefront: Expected "Good Faith Offers"

I'm around next week. Is the call with SF Thursday or Wednesday (I have wed on my calendar, but can do either).

**From:** Craig Melodia [mailto:Melodia.Craig@epamail.epa.gov]

**Sent:** Friday, July 01, 2011 9:17 AM

**To:** Benson, Thomas (ENRD)

**Subject:** RE: Ashland Lakefront: Expected "Good Faith Offers"

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege  
Exemption 7(a) - Interference with enforcement proceedings

[REDACTED]

-----"Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov> wrote: -----

To: Craig Melodia/R5/USEPA/US@EPA

From: "Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov>

Date: 06/30/2011 08:04PM

Subject: RE: Ashland Lakefront: Expected "Good Faith Offers"

[REDACTED]

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov  
[mailto:Melodia.Craig@epamail.epa.gov]

Sent: Thursday, June 30, 2011 3:32 PM

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege  
Exemption 7(a) - Interference with enforcement proceedings

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

To: Kyte.Larry@epamail.epa.gov; Schmitt.Lawrence@epamail.epa.gov;  
Frey.Rebecca@epamail.epa.gov; Hansen.Scott@epamail.epa.gov;  
Padovani.Steven@epamail.epa.gov; Benson, Thomas (ENRD);  
Short.Thomas@epamail.epa.gov  
Subject: Fw: Ashland Lakefront: Expected "Good Faith Offers"

[REDACTED]

[REDACTED]

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 06/30/2011 02:12 PM  
-----

From: Craig Melodia/R5/USEPA/US

To: THOMAS SHORT/R5/USEPA/US@EPA

Cc: Larry Kyte/R5/USEPA/US@EPA, LAWRENCE  
SCHMITT/R5/USEPA/US@EPA, REBECCA  
FREY/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA, Steven  
Padovani/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov

Date: 06/14/2011 08:17 AM

Subject: Re: Ashland Lakefront: Expected "Good Faith Offers"

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege  
Exemption 7(a) - Interference with enforcement proceedings

[REDACTED]

[REDACTED]

[REDACTED]

Craig  
Craig

From: THOMAS SHORT/R5/USEPA/US

To: Craig Melodia/R5/USEPA/US@EPA

Cc: Larry Kyte/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA,  
Scott Hansen/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov, LAWRENCE  
SCHMITT/R5/USEPA/US, Steven Padovani/R5/USEPA/US

Date: 06/14/2011 07:48 AM

Subject: Re: Ashland Lakefront: Expected "Good Faith Offers"

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

[REDACTED]

Tom

From: Craig Melodia/R5/USEPA/US

To: THOMAS SHORT/R5/USEPA/US@EPA, REBECCA  
FREY/R5/USEPA/US@EPA, Scott  
Hansen/R5/USEPA/US@EPA

Cc: Larry Kyte/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov

Date: 06/13/2011 04:48 PM

Subject: Ashland Lakefront: Expected "Good Faith Offers"

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

[REDACTED]

[REDACTED]

[REDACTED]

Craig

05-FOI-00906-11WH-877

**Craig Melodia /R5/USEPA/US**

08/03/2004 04:35 PM

To Sharon Jaffess

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

Subject Fw: Ashland NSP Lakefront Site CERCLA Docket No.  
V-W-04-C-764

----- Forwarded by Craig Melodia/R5/USEPA/US on 08/03/04 04:33 PM -----

**Craig Melodia /R5/USEPA/US**

08/03/04 04:32 PM

To "Crass, David A." <DACrass@MBF-LAW.com>

cc

Subject Re: Ashland NSP Lakefront Site CERCLA Docket No.  
V-W-04-C-764

Dave:

Thanks for summarizing the conversation. The one thing I'd like to clarify is that once the parties have scheduled the meeting I want to speak with Sharon and send you a date for the resubmission of the workplan pursuant to Para. 23 of the Order, rather than leave it open ended. I think that's what we discussed and apologize if it was unclear. Ultimately submission dates are Sharon's call as the RPM. If progress at the meeting requires an additional extension I'm sure Sharon would be open to discussing that with Xcel. I know Sharon has suggested the use of a computer at the meeting to make immediate changes and hopes to have a revised workplan coming out of the meeting, but as stated in her July 26th letter, she recognizes that some additional time (i.e., 21 days) maybe required for Xcel to finalize the Field Sampling Plan and QAPP. This might make 21 days after the meeting a logical end date. I believe the meeting dates Sharon has discussed with Xcel are beyond the 21 day period under the Order, so the sooner the meeting is scheduled and an end date set, the better for all parties. Please let me know if you want to discuss further.

Thanks,

Craig

"Crass, David A." <DACrass@MBF-LAW.com>

**"Crass, David A."  
<DACrass@MBF-LAW.com>**

08/03/04 03:41 PM

To

Subject Ashland NSP Lakefront Site CERCLA Docket No.  
V-W-04-C-764

Craig: Thanks for taking the time to discuss the above with me today. As you know, I called you on Friday, July 30, 2004 to discuss USEPA's disapproval of Rev. 01 of the RI/FS Work Plan as relates to the 21-day response period provided for in Par. 23 of the above captioned Administrative Order on Consent ("AOC"). As we discussed, my concern was adequately documenting, for the protection of all parties, the "or such longer times as specified by EPA in such notice" contained in that provision. You indicated that EPA would not consider the disapproval received by the Company until the date of receipt of the hardcopy of Ms. Jaffess' July 26, 2004 letter. Since that hardcopy was sent via certified mail/return receipt, that will be easy to document. The



parties are working on setting up a meeting to discuss the EPA comments which, if possible, would be held within the 21-day period subsequent to receipt of the hardcopy of the disapproval. You indicated that if the parties emerged from that meeting with a specific submission schedule for submittal of the Revised RI/FS Workplan and associated planning documents, that you would then put that in writing for purposes of determining our compliance date under Par. 23 of the AOC. We appreciate your flexibility and responsiveness.

I understand that you will be on vacation next week, returning the week of August 16th. We can followup with each other at that time.

David A. Crass, Esq.  
Michael Best & Friedrich, LLP  
One South Pinckney Street, Suite 700  
P.O. Box 1806  
Madison, WI 53701-1806  
608-283-2267 (ph)  
608-283-2275 (fax)  
608-332-5314 (cell)  
dacrass@mbf-law.com

+-+-+  
The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.  
+-+-+

05-FOI-00906-11WH-878

**Craig Melodia /R5/USEPA/US**

08/17/2004 09:15 AM

To Sharon Jaffess

cc

bcc

Subject Fw: NSP/Ashland Lakefront Site

Hi Sharon:

[REDACTED]

Thanks,

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 08/17/04 09:12 AM -----

**"Crass, David A."**  
**<DACrass@MBF-LAW.com>**

08/14/04 09:38 AM

To

Subject NSP/Ashland Lakefront Site

Dear Craig: I hope you had an enjoyable vacation. Apropos our earlier discussion and exchange of e-mails concerning the Administrative Order on Consent (AOC) concerning NSP, I understand that it appears that the two-day technical meeting suggested by Ms. Jaffess has been scheduled for September 8-9 in Madison. (As an aside, I assume that these are meetings that you and I need not attend, but please let me know if you are planning to attend). I also understand our mutual desire to set a definitive response date in writing for purposes of documenting AOC compliance. What I would request on behalf of NSP for purposes of the AOC is that we set the 21-day response deadline beginning the day after the meeting concludes (whenever that is). For example, if the technical team can complete their work on the 9th, then I would propose setting the deadline for RI/FS Work Plan Rev. 02 at Friday, October 1, 2004 (which is 21 days from Sept. 10th). If the technical team cannot complete their work in the two-day meeting and must meet again, I would propose setting the date in the same fashion; to wit, 21 days from the day after the subsequent meeting.

I make this request given the significant amount of reworking required by the extensive comments provided by the Agency and other stakeholders which I think was unanticipated by all parties at the time of AOC negotiations. Although that possibility was certainly there, I believe its likelihood was considered low by both parties. In part, this is, we believe, attributable to the significant amount of historical work on this site as well as the involvement of stakeholders who did not attend the Technical Scoping Meeting held pursuant to the Statement of Work. I look forward to your response.

David A. Crass, Esq.  
Michael Best & Friedrich, LLP  
One South Pinckney Street, Suite 700  
P.O. Box 1806  
Madison, WI 53701-1806

608-283-2267 (ph)  
608-283-2275 (fax)  
608-332-5314 (cell)  
dacrass@mbf-law.com

+-+-+  
The information contained in this communication may be confidential ,  
is intended only for the use of the recipient (s) named above,  
and may be legally privileged. If the reader of this message  
is not the intended recipient, you are hereby notified  
that any dissemination, distribution, or copying of this communication,  
or any of its contents, is strictly prohibited. If you have  
received this communication in error, please return it  
to the sender immediately and delete the original message and any  
copy of it from your computer system. If you have any questions  
concerning this message, please contact the sender.  
+-+-+

05-FOI-00906-11WH-879

**Craig Melodia /R5/USEPA/US**

11/06/2006 09:24 AM

To Scott Hansen

cc

bcc

Subject Fw: Ashland Lakefront Site -- Agenda for Nov. 8th Meeting

Here's the Agenda Xcel sent ...

----- Forwarded by Craig Melodia/R5/USEPA/US on 11/06/2006 09:24 AM -----

"Crass, David A."

<DACrass@michaelbest.com

>

11/03/2006 11:14 AM

To "Crass, David A." <DACrass@michaelbest.com>, Craig  
Melodia/R5/USEPA/US@EPA

cc

Subject RE: Ashland Lakefront Site -- Agenda for Nov. 8th Meeting

Craig: Please disregard the prior version of this email. The correct document is attached to this one.

Dave

---

**From:** Crass, David A.

**Sent:** Friday, November 03, 2006 10:47 AM

**To:** melodia.craig@epamail.epa.gov

**Subject:** Ashland Lakefront Site -- Agenda for Nov. 8th Meeting

Is attached. Please let me know if you have any comments or suggested revisions. Thanks.

*David A. Crass, Esq.*

*Michael Best & Friedrich LLP*

*One South Pinckney Street, Suite 700*

*Madison, WI 53703*

*608-283-2267 (ph)*

*608-283-2275 (fax)*

*608-332-5314 (cell)*

[dacrass@michaelbest.com](mailto:dacrass@michaelbest.com)

\*\*\*\*\*

Unless otherwise expressly indicated, if this email (or any attachment hereto) contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.

\*\*\*\*\*



DRFT Agenda for USEPA FS Schedule Meeting (B0915439).DOC

05-FOI-00906-11WH-880

Craig Melodia /R5/USEPA/US

11/06/2006 09:25 AM

To Scott Hansen

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

Subject Fw: Ashland Lakefront Site meeting

----- Forwarded by Craig Melodia/R5/USEPA/US on 11/06/2006 09:24 AM -----

"Crass, David A."

<DACrass@michaelbest.com

>

11/02/2006 05:14 PM

To Craig Melodia/R5/USEPA/US@EPA

cc

Subject Ashland Lakefront Site meeting

Craig: Thanks for your message yesterday and our phone call. I should be able to get a proposed agenda to you by COB tomorrow. We'll come to the 14th floor on Wednesday November 8th just before 9 a.m. I understand that the technical team has now scheduled another SITE program call for 11 a.m. that morning, so we'll have to decide how we handle that vis-a-vis timing for the meeting.

Just a couple of quick points of clarification as well from your message. The proposed revised schedule that NSPW submitted along with its September 12, 2006 letter took us through the FS. So I agree we need to get everyone on the same page about submittals and schedule, but the Company did propose in September a schedule to take us through FS submittal. That schedule was in part what Scott responded to in his letter of October 18th. That and the treatability studies testing needs technical memo. Of course, the outcome on the testing needs issue directly affects the schedule through FS submittal, so the issues are intertwined.

On the RAO issue, the USEPA comments provided "The RAOs should be revised to address revisions to the RI, Human Health Risk Assessment and Ecological Risk Assessment. **Thorough review of the RAOs** will be performed once the Human Health Risk Assessment and Ecological Risk Assessment are in good shape" (emphasis added). So there is a bit of a "chicken and egg" issue there that needs to get resolved. However, I understand that progress was made on this issue with reviewers in a technical team call held yesterday, so we may be closer to resolution of all of that issue than we think.

Lastly, we will use the agenda to frame some of the specific issues that need resolution as suggested by your last comment in the email. NSPW's recently filed Response to Comments documents (10/27/06) state the Company's positions on those issues, but we'll frame this up in the agenda and be prepared to address them at the meeting.

Thanks and I'll be back to you with a suggested agenda.

David A. Crass, Esq.  
Michael Best & Friedrich LLP  
One South Pinckney Street, Suite 700  
Madison, WI 53703  
608-283-2267 (ph)

608-283-2275 (fax)  
608-332-5314 (cell)  
[dacrass@michaelbest.com](mailto:dacrass@michaelbest.com)

\*\*\*\*\*

Unless otherwise expressly indicated, if this email (or any attachment hereto) contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.

\*\*\*\*\*

05-FOI-00906-11WH-881

**Craig Melodia /R5/USEPA/US**

11/13/2006 11:11 AM

To Scott Hansen

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

Subject Fw: Ashland Lakefront Site

Scott -

----- Forwarded by Craig Melodia/R5/USEPA/US on 11/13/2006 11:10 AM -----

"Crass, David A."

<DACrass@michaelbest.com

>

11/13/2006 09:24 AM

To Craig Melodia/R5/USEPA/US@EPA

cc

Subject Ashland Lakefront Site

Craig: Once again, thanks for taking the time to arrange and participate in last week's important discussion in Chicago. This is to simply confirm what we agreed to as the near-term deliverables at the end of our meeting.

NSPW:

1. By 11/10/06, NSPW will submit a bioassay compilation for review with respect to the BERA RAO issues. (submitted).
2. By 11/22/06, NSPW will present a proposal for the grouping of compounds on the parameter list we discussed as well as how those parameters will be depicted/discussed via tables, narratives, mapping and graphs. In this context, NSPW will also review those "nonshaded" parameters (which are additive to the parameter list in the approved RI/FS work plan) and determine whether any of those parameter detections are greater than 10X the most stringent regulatory standard.
3. By 11/22/06, NSPW will prioritize the treatability studies it desires to perform and expand on the discussion of why these studies are needed.

USEPA:

1. USEPA will review NSPW's response to comments submitted 10/27/06 and indicate in technical discussions if there are further significant issues (beyond those discussed at our meeting) to be resolved in the context of finalizing the RI Report.
2. USEPA will review the above submittals and continue discussions of the technical project team in furtherance of finalizing the RAO Tech Memo, the RI Report and treatability studies.
3. USEPA will provide a definition of "free product" as relates to finalizing the RAOs for all media.

Please let me know if I've misstated anything from your perspective.

*David A. Crass, Esq.*



*Michael Best & Friedrich LLP  
One South Pinckney Street, Suite 700  
Madison, WI 53703  
608-283-2267 (ph)  
608-283-2275 (fax)  
608-332-5314 (cell)  
[dacrass@michaelbest.com](mailto:dacrass@michaelbest.com)*

\*\*\*\*\*

Unless otherwise expressly indicated, if this email (or any attachment hereto) contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.

\*\*\*\*\*

05-FOI-00906-11WH-882

**Craig Melodia /R5/USEPA/US**

03/22/2007 01:26 PM

To Scott Hansen

cc Briana Bill

bcc

Subject Fw: NSP/Ashland

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
thru 11/30/06? Thanks

----- Forwarded by Craig Melodia/R5/USEPA/US on 03/22/2007 01:18 PM -----

"Crass, David A (22267)"  
<DACrass@michaelbest.com

>

03/22/2007 11:42 AM

To Craig Melodia/R5/USEPA/US@EPA

cc

Subject FW: NSP/Ashland

<<3-22-07 ltr to Hansen-USEPA (B1019428).PDF>>  
Craig: FYI. Dave. We'll talk tomorrow at 1:30.  
-----Original Message-----  
From: Leighton, Michele P (27531)  
Sent: Thursday, March 22, 2007 11:42 AM  
To: Crass, David A (22267)  
Subject: NSP/Ashland

\*\*\*\*\*

Unless otherwise expressly indicated, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.



3-22-07 ltr to Hansen-USEPA (B1019428).PDF

05-FOI-00906-11WH-883

**Craig Melodia /R5/USEPA/US**

05/25/2007 01:00 PM

To Scott Hansen

cc Briana Bill

bcc

Subject Fw: Ashland Lakefront Site

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

Scott: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

----- Forwarded by Craig Melodia/R5/USEPA/US on 05/25/2007 12:49 PM -----

"Crass, David A \22267\)"  
<DACrass@michaelbest.com>  
>

05/25/2007 12:14 PM

To Craig Melodia/R5/USEPA/US@EPA

cc <kristina.m.bourget@xcelenergy.com>

Subject Ashland Lakefront Site

Craig: Thanks for speaking with me on Tuesday, April 17<sup>th</sup> concerning the potential range of aquatic confined disposal facility (CDF) options under consideration concerning the Ashland Lakefront Site. As you know, this issue arises as we ramp up efforts to prepare and submit the Draft Feasibility Study contemplated by the AOC. I provided you background information concerning the positions expressed by both USEPA in comments to the Alternatives Screening Technical Memorandum and by WDNR in its March 30, 2007 correspondence, that the only way an on-site CDF could be implemented would be via an act of the Wisconsin Legislature. I expressed our position that this is an incorrect statement of the law (not to mention that the WDNR letter summarily dismisses the possibility of City of Ashland support and cooperation concerning a long-term lease from the Board of Commissioners of Public Lands to the extent the remedy becomes part of the City's Waterfront Redevelopment Plan) and additionally raised the possibility that the federal preemption provided in section 121(e)(1) of CERCLA would apply to this permitting requirement.

We have looked further into the issue you raised that the CERCLA preemption may only extend to administrative and not legislative actions. I should note that any administrative agency is, of course, a creature of statute and only has the powers (including permitting powers) authorized by the Legislature. So a preemption involving administrative permits is by extension preemption of the legislative act of empowering the agency to engage in a permitting process. Either way you cut it, the CERCLA preemption implicates legislative powers.

Although there is a dearth of case law on the subject, there is apt authority that a legislative action can be preempted by CERCLA when the existence of the legislative act frustrates the purposes of CERCLA. In US v. Denver, 100 F.3d 1509 (10<sup>th</sup> Cir. 1996) the Court held that a

local zoning ordinance was preempted by Sec. 121(e)(1) of CERCLA because the local law conflicted with the broad remedial purposes of CERCLA. Denver essentially argued that the CERCLA preemption provision only preempts state or local permit requirements, not state or local substantive law. The Court disagreed and concluded that the zoning code was preempted. As you know, zoning is a legislative act. As such, the statute should not be so strictly construed to be limited to administrative actions, particularly where state substantive law would work to frustrate the cleanup options available to the Agency.

Please consider this and then perhaps we can arrange a meeting or conference call with the State to discuss when the time is right. I hope you have a safe and pleasant holiday weekend



David A. Crass  
One South Pinckney Street, Suite 700  
P.O. Box 1806  
Madison, WI 53701-1806  
(608) 283-2267 - Phone  
(608) 283-2275 - Fax  
(608) 332-5314 - Cell  
[dacrass@michaelbest.com](mailto:dacrass@michaelbest.com)

\*\*\*\*\*  
\*\*\*\*\*

Unless otherwise expressly indicated, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.

05-FOI-00906-11WH-884

**Craig Melodia /R5/USEPA/US**

05/25/2007 02:10 PM

To Scott Hansen

cc

bcc

Subject Re: Fw: Ashland Lakefront Site

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

Scott - [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Scott Hansen/R5/USEPA/US

**Scott Hansen /R5/USEPA/US**

05/25/2007 02:02 PM

To Craig Melodia/R5/USEPA/US@EPA

cc

Subject Re: Fw: Ashland Lakefront Site 📎

Craig,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

Scott  
Craig Melodia/R5/USEPA/US

**Craig Melodia /R5/USEPA/US**

05/25/2007 01:00 PM

To Scott Hansen/R5/USEPA/US@EPA

cc Briana Bill/R5/USEPA/US@EPA

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

Subject Fw: Ashland Lakefront Site

Scott: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

----- Forwarded by Craig Melodia/R5/USEPA/US on 05/25/2007 12:49 PM -----

"Crass, David A \22267\)"  
<DACrass@michaelbest.com>

05/25/2007 12:14 PM

To Craig Melodia/R5/USEPA/US@EPA  
cc <kristina.m.bourget@xcelenergy.com>

Subject Ashland Lakefront Site

Craig: Thanks for speaking with me on Tuesday, April 17<sup>th</sup> concerning the potential range of aquatic confined disposal facility (CDF) options under consideration concerning the Ashland Lakefront Site. As you know, this issue arises as we ramp up efforts to prepare and submit the Draft Feasibility Study contemplated by the AOC. I provided you background information concerning the positions expressed by both USEPA in comments to the Alternatives Screening Technical Memorandum and by WDNR in its March 30, 2007 correspondence, that the only way an on-site CDF could be implemented would be via an act of the Wisconsin Legislature. I expressed our position that this is an incorrect statement of the law (not to mention that the WDNR letter summarily dismisses the possibility of City of Ashland support and cooperation concerning a long-term lease from the Board of Commissioners of Public Lands to the extent the remedy becomes part of the City's Waterfront Redevelopment Plan) and additionally raised the possibility that the federal preemption provided in section 121(e)(1) of CERCLA would apply to this permitting requirement.

We have looked further into the issue you raised that the CERCLA preemption may only extend to administrative and not legislative actions. I should note that any administrative agency is, of course, a creature of statute and only has the powers (including permitting powers) authorized by the Legislature. So a preemption involving administrative permits is by extension preemption of the legislative act of empowering the agency to engage in a permitting process. Either way you cut it, the CERCLA preemption implicates legislative powers.

Although there is a dearth of case law on the subject, there is apt authority that a legislative action can be preempted by CERCLA when the existence of the legislative act frustrates the purposes of CERCLA. In US v. Denver, 100 F.3d 1509 (10<sup>th</sup> Cir. 1996) the Court held that a local zoning ordinance was preempted by Sec. 121(e)(1) of CERCLA because the local law

conflicted with the broad remedial purposes of CERCLA. Denver essentially argued that the CERCLA preemption provision only preempts state or local permit requirements, not state or local substantive law. The Court disagreed and concluded that the zoning code was preempted. As you know, zoning is a legislative act. As such, the statute should not be so strictly construed to be limited to administrative actions, particularly where state substantive law would work to frustrate the cleanup options available to the Agency.

Please consider this and then perhaps we can arrange a meeting or conference call with the State to discuss when the time is right. I hope you have a safe and pleasant holiday weekend



David A. Crass  
One South Pinckney Street, Suite 700  
P.O. Box 1806  
Madison, WI 53701-1806  
(608) 283-2267 - Phone  
(608) 283-2275 - Fax  
(608) 332-5314 - Cell  
[dacrass@michaelbest.com](mailto:dacrass@michaelbest.com)

\*\*\*\*\*  
\*\*\*\*\*

Unless otherwise expressly indicated, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.



05-FOI-00906-11WH-885

**Craig Melodia /R5/USEPA/US**

06/01/2007 11:38 AM

To Scott Hansen

cc Briana Bill

bcc

Subject Re: Fw: Ashland/Northern Lakes Power Site

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

[REDACTED]


Scott Hansen/R5/USEPA/US

**Scott Hansen /R5/USEPA/US**

06/01/2007 11:33 AM

To Craig Melodia/R5/USEPA/US@EPA

cc

Subject Re: Fw: Ashland/Northern Lakes Power Site 

Thanks Craig.

I will forward the April letter.

Scott

05-FOI-00906-11WH-886

**Craig Melodia /R5/USEPA/US**

06/19/2008 10:06 AM

To Scott Hansen

cc

bcc

Subject Re: Fw: Ashland Ideas Discussed June 18th

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

[REDACTED]

Scott Hansen/R5/USEPA/US

**Scott Hansen /R5/USEPA/US**

06/19/2008 09:33 AM

To Craig Melodia/R5/USEPA/US@EPA

cc LAWRENCE SCHMITT/R5/USEPA/US@EPA

Subject Fw: Ashland Ideas Discussed June 18th

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

[REDACTED]

[REDACTED]

Scott

----- Forwarded by Scott Hansen/R5/USEPA/US on 06/19/2008 09:27 AM -----

"Winslow, Jerry C"  
<jerry.c.winslow@xcelenergy.  
com>

06/19/2008 09:01 AM

To Scott Hansen/R5/USEPA/US@EPA

cc

Subject Ashland Ideas Discussed June 18th

Scott,

Here is the list of ideas we were discussing on our call yesterday. Please note it will be revised to reflect additions and changes brought up during our call.

Jerry

Jerry Winslow  
Principal Environmental Engineer  
Xcel Energy  
414 Nicollet Mall (MP 8)  
Minneapolis, MN 55401  
612-330-2928 cell 612-210-1305  
[jerry.c.winslow@xcelenergy.com](mailto:jerry.c.winslow@xcelenergy.com)



Ideas List.doc

05-FOI-00906-11WH-887

**Craig Melodia /R5/USEPA/US**

02/12/2009 11:31 AM

To Scott Hansen

cc

bcc

Subject Fw: Ashland Lakefront Site

Scott, Here's a draft agenda and list of people attending for Xcel. Please pass along to DNR for comment

...

----- Forwarded by Craig Melodia/R5/USEPA/US on 02/12/2009 11:29 AM -----

**"Crass, David A (22267)"**

**<DACrass@michaelbest.com**

**>**

02/04/2009 11:59 AM

To Craig Melodia/R5/USEPA/US@EPA

cc

Subject RE: Ashland Lakefront Site

Craig: As previously noted, we have confirmed the meeting for Feb. 19th in Chicago at USEPA Offices. I would like to suggest at 10 a.m. start time (to accommodate travel) and I would guess the meeting may go until about 2 p.m. (with a brief break for lunch). As for an agenda, we suggest the following for your consideration:

#### Agenda

1. Background & Introductions
2. Notice of Completion of AOC
3. "Framework" Discussions -- Background and Objectives
4. Preliminary Proposed Plan
5. RD/RA Phase Negotiation Process
6. Interplay with NRD Negotiations
7. Positions of other PRPs
8. Mixed Funding Opportunities
9. Future Oversight Cost Forgiveness
10. Steps Forward

We expect to have Dave Donovan, Jerry Winslow and Attorney Kristina Bourget all in attendance from the Company, as well as John Shulman, an outside consultant and me. Could you let me know who you expect to have in attendance for both USEPA and the State of Wisconsin?

Thanks for accomodating us and we look forward to a productive discussion.

Dave Crass

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov

[mailto:Melodia.Craig@epamail.epa.gov]

Sent: Monday, January 26, 2009 1:27 PM

To: Crass, David A (22267)  
Subject: Re: Ashland Lakefront Site

Dave: Looks like EPA and DNR are available the 19th or 20th. I believe your first preference is the 19th, so I will save that date. Please confirm the date and time and approx. length of the meeting and I will reserve a room in our office. I would also appreciate an agenda at some point so everyone is aware of the topics to be discussed.

Thank you,

Craig

"Crass, David A  
(22267)"  
<DACrass@michael  
best.com>

01/23/2009 01:14  
PM

Craig Melodia/R5/USEPA/US@EPA

To

cc

Subject

Ashland Lakefront Site

Craig: This follows our recent teleconference of Tuesday, Jan. 13th. You asked that I shop for some dates that would work on our side for a meeting in Chicago to discuss next steps. We could do it either Feb. 19th, 26th or 20th in that order of preference. Please let me know what works. Also, I think it may have been a mutual oversight when we discussed that meeting but we will of course need to invite the State as well. Perhaps you could let me know which of these dates would work for the Agency and then we could extend an invitation to the State? Please advise. Thanks.

(Embedded image moved to file: | One South Pinckney Street,  
pic20620.gif) | Suite 700  
| P.O. Box 1806  
| Madison, WI 53701-1806  
| Phone: (608) 257-3501  
| Fax: (608) 283-2275

FIRM PROFILE | ATTORNEY |  
PROFILES | LEGAL SERVICES |

David A. Crass |  
Attorney at Law |  
Direct: (608) 283-2267 |  
dacrass@michaelbest.com |

My Biography | Download My |  
Contact Info as a V-Card | |  
michaelbest.com |

OFFICE LOCATIONS | NEWSROOM |  
| EVENTS |

\*\*\*\*\*  
\*\*\*\*

Unless otherwise expressly indicated, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.

\*\*\*\*\*

Unless otherwise expressly indicated, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.

05-FOI-00906-11WH-888

**Craig Melodia /R5/USEPA/US**

02/17/2009 12:18 PM

To "Stone, Randall (ENRD)"

cc

bcc

Subject Fw: Ashland Lakefront Site

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

----- Forwarded by Craig Melodia/R5/USEPA/US on 02/17/2009 12:15 PM -----

"Crass, David A (22267)"  
<DACrass@michaelbest.com>

02/04/2009 11:59 AM

To Craig Melodia/R5/USEPA/US@EPA

cc

Subject RE: Ashland Lakefront Site

Craig: As previously noted, we have confirmed the meeting for Feb. 19th in Chicago at USEPA Offices. I would like to suggest at 10 a.m. start time (to accommodate travel) and I would guess the meeting may go until about 2 p.m. (with a brief break for lunch). As for an agenda, we suggest the following for your consideration:

#### Agenda

1. Background & Introductions
2. Notice of Completion of AOC
3. "Framework" Discussions -- Background and Objectives
4. Preliminary Proposed Plan
5. RD/RA Phase Negotiation Process
6. Interplay with NRD Negotiations
7. Positions of other PRPs
8. Mixed Funding Opportunities
9. Future Oversight Cost Forgiveness
10. Steps Forward

We expect to have Dave Donovan, Jerry Winslow and Attorney Kristina Bourget all in attendance from the Company, as well as John Shulman, an outside consultant and me. Could you let me know who you expect to have in attendance for both USEPA and the State of Wisconsin?

Thanks for accomodating us and we look forward to a productive discussion.

Dave Crass

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov  
[mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Monday, January 26, 2009 1:27 PM

To: Crass, David A (22267)  
Subject: Re: Ashland Lakefront Site

Dave: Looks like EPA and DNR are available the 19th or 20th. I believe your first preference is the 19th, so I will save that date. Please confirm the date and time and approx. length of the meeting and I will reserve a room in our office. I would also appreciate an agenda at some point so everyone is aware of the topics to be discussed.

Thank you,

Craig

"Crass, David A  
(22267)"  
<DACrass@michael  
best.com>

01/23/2009 01:14  
PM

Craig Melodia/R5/USEPA/US@EPA

To

cc

Subject

Ashland Lakefront Site

Craig: This follows our recent teleconference of Tuesday, Jan. 13th. You asked that I shop for some dates that would work on our side for a meeting in Chicago to discuss next steps. We could do it either Feb. 19th, 26th or 20th in that order of preference. Please let me know what works. Also, I think it may have been a mutual oversight when we discussed that meeting but we will of course need to invite the State as well. Perhaps you could let me know which of these dates would work for the Agency and then we could extend an invitation to the State? Please advise. Thanks.

(Embedded image moved to file: | One South Pinckney Street,  
pic20620.gif) | Suite 700  
| P.O. Box 1806  
| Madison, WI 53701-1806  
| Phone: (608) 257-3501  
| Fax: (608) 283-2275

FIRM PROFILE | ATTORNEY |  
PROFILES | LEGAL SERVICES |



David A. Crass |  
Attorney at Law |  
Direct: (608) 283-2267 |  
dacrass@michaelbest.com |

My Biography | Download My |  
Contact Info as a V-Card | |  
michaelbest.com |

OFFICE LOCATIONS | NEWSROOM |  
| EVENTS |

\*\*\*\*\*  
\*\*\*\*

Unless otherwise expressly indicated, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.

\*\*\*\*\*

Unless otherwise expressly indicated, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.

05-FOI-00906-11WH-889

**Craig Melodia /R5/USEPA/US**

04/16/2009 04:03 PM

To Scott Hansen

cc

bcc

Subject Fw: Ashland Performance Standard Tech Memo

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

[REDACTED]

----- Forwarded by Craig Melodia/R5/USEPA/US on 04/16/2009 04:01 PM -----

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA  
Cc: Deborah Garber/R5/USEPA/US@EPA  
Date: 04/16/2009 12:19 PM  
Subject: Fw: Ashland Performance Standard Tech Memo

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

[REDACTED]

[REDACTED]

[REDACTED]

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 04/16/2009 12:14 PM -----

From: Craig Melodia/R5/USEPA/US  
To: DACrass@michaelbest.com, Kristina.M.Bourget@xcelenergy.com  
Date: 04/09/2009 04:05 PM  
Subject: Fw: Ashland Performance Standard Tech Memo

Dave, Tina: I wanted to follow-up on our call today and to clarify the issues under discussion in the on-going technical meetings. I spoke with Scott and attach the latest document from Jerry Winslow to come out of those meetings. The document presents proposed performance standards and specifications for a cover system following the dredge. What Scott made clear to me is that the paper and discussions focus exclusively on performance standards for a wet dredge, and do not address performance standards for a dry dredge or for the on-shore contamination. Scott and Jamie have both stated that performance standards for a dry dredge will also have to be developed should EPA select a dry dredge remedy. Xcel requested these discussions at our last meeting in Chicago. These discussions will not necessarily conclude or be included in the proposed plan since EPA has not yet selected the remedy and the performance standards for a wet dredge and the cover specifications will be approved as part of the remedy design. I was mistaken when I stated that the technical discussions were only related to confirmation sampling and I understand there is a connection between the performance standards and the remedy selection since the standards will determine how the remedy is implemented. I believe I was

accurate, however, in stating that the technical discussions have not focused on the need or justification for a dry dredge and what affect a dry dredge as part of EPA's preferred remedy would have on a larger settlement and Xcel's intent to work cooperatively towards a cleanup. As I mentioned, if a dry dredge is part of EPA's preferred remedy, Xcel will have the opportunity to submit comments supporting a wet dredge alternative.

Thanks again for your continued communication and cooperation in this effort.

Craig M.

----- Forwarded by Craig Melodia/R5/USEPA/US on 04/09/2009 03:37 PM -----

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 04/09/2009 02:38 PM  
Subject: Fw: Ashland Performance Standard Tech Memo

---

Latest version of performance standard.

----- Forwarded by Scott Hansen/R5/USEPA/US on 04/09/2009 02:38 PM -----

"Winslow, Jerry C"  
<jerry.c.winslow@xcelenergy.com>

04/03/2009 09:44 AM

To: Scott Hansen/R5/USEPA/US@EPA, "Dunn, James R - DNR"  
<James.Dunn@Wisconsin.gov>,  
"william.fitzpatrick@wisconsin.gov",  
<william.fitzpatrick@wisconsin.gov>,  
"omprakash.patel@westonsolutions.com",  
<omprakash.patel@westonsolutions.com>

cc

Subject: Ashland Performance Standard Tech Memo

Scott, Jamie, Bill, & Om,

Attached is the tech memo detailing the tasks and approach to develop the performance standard for dredging at Ashland. We discussed this document in our last tech group conference call on March 25th. As you can see it ended up being much longer than 2 pages, but it provides the full context of our efforts to date and outlines or view on where we think we should go from here.

If it works for you folks, I would like to set up a conference call for the tech group including available consultants for sometime next Thursday, April 9th. Our agenda would be to go through this proposal page by page and cover any other technical issues you may recommend. Suggested time slots for the 9th could be 9:00 to 10:30 AM or 12:30 to 2:00 PM. Please respond with your availability and preference.

Jerry

April 9th 9-10:30 yes \_\_\_\_\_ no \_\_\_\_\_  
12:30-2 yes \_\_\_\_\_ no \_\_\_\_\_

Jerry Winslow  
Principal Environmental Engineer  
Xcel Energy  
414 Nicollet Mall (MP 7)  
Minneapolis, MN 55401  
612-330-2928 cell 612-210-1305  
[jerry.c.winslow@xcelenergy.com](mailto:jerry.c.winslow@xcelenergy.com)

[attachment "AshlandMemo, Technical Approach to Develop Perf Std.pdf" deleted by Craig Melodia/R5/USEPA/US]

05-FOI-00906-11WH-890

**Craig Melodia /R5/USEPA/US**

07/21/2009 09:24 AM

To Scott Hansen

cc

bcc

Subject Fw: Ashland Lakefront Site

fyi ...

----- Forwarded by Craig Melodia/R5/USEPA/US on 07/21/2009 09:23 AM -----

From: Craig Melodia/R5/USEPA/US  
To: "Crass, David A (22267)" <DACrass@michaelbest.com>  
Cc: Daniel.Graff@Wisconsin.gov  
Date: 07/20/2009 01:27 PM  
Subject: Re: Ashland Lakefront Site

---

Dave: Thank you for the response. We are confirmed for a conference room on 14, so you can check-in with the receptionist who will bring you to the room. You had previously mentioned previewing the comments you plan to submit. Are the comments part of the agenda still and are there any preliminary or final written comments you can share with us at this time? I believe having previewed the comments will help us focus the discussion. I'm copying Dan Graff so he can keep John and Jamie updated too.

Thank you,

Craig

-----"Crass, David A (22267)" <DACrass@michaelbest.com> wrote: -----

To: Craig Melodia/R5/USEPA/US@EPA  
From: "Crass, David A (22267)" <DACrass@michaelbest.com>  
Date: 07/20/2009 12:00PM  
Subject: Ashland Lakefront Site

Craig: We are confirmed for 9 a.m. on this Thursday, July 23rd in Chicago. Please let me know the conference room or if we're to report to the 14th floor.

As for agenda items, we would suggest the following as a continuation of our discussions from February and May:

1. Introduce New Member of Legal Team
2. Update on Status of "Framework" Agreement
3. Discuss NSPW's "Core Principles" Re: Site Remediation
4. Consider Ways to Move Discussions Forward
5. Next Steps.

**MICHAEL BEST**

& FRIEDRICH LLP

David A. Crass

Direct: (608) 283-2267

Attorney at Law

dacrass@michaelbest.com

One South Pinckney Street, Suite 700 Madison, WI 53703  
P.O. Box 1806 Madison WI 53701-1806  
Phone: (608) 257-3501 Fax: (608) 283-2275

[michaelbest.com/dacrass](http://michaelbest.com/dacrass)

[michaelbest.com](http://michaelbest.com)

\*\*\*\*\*

Unless otherwise expressly indicated, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.



Image.022085216@20072009-2026.gif



Image.022085216@20072009-202D.gif

05-FOI-00906-11WH-891

**Craig Melodia /R5/USEPA/US**

09/22/2009 12:54 PM

To Scott Hansen

cc

bcc

Subject Fw: Sign-in Sheet

Scott: Can I get a copy of the sign-in sheet so I can fax it to Steve? Thanks

----- Forwarded by Craig Melodia/R5/USEPA/US on 09/22/2009 12:53 PM -----

From: <sleifer@bakerbotts.com>  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 09/22/2009 11:04 AM  
Subject: RE: Sign-in Sheet

---

Craig: Do you have the sign-in sheet? Thanks, SL

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov  
[mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Friday, September 18, 2009 11:30 AM  
To: Leifer, Steven  
Subject: Re: Sign-in Sheet

Steve: I didn't get one myself, but know Scott made copies. He's not in today so I will fax it to you Monday. Have a good weekend. Craig

From: <sleifer@bakerbotts.com>  
  
To: Craig Melodia/R5/USEPA/US@EPA  
  
Date: 09/18/2009 10:20 AM  
  
Subject: Sign-in Sheet

Craig: Could you scan and email a copy of the sign-in sheet for yesterday's Ashland meeting? Thanks, SL



05-FOI-00906-11WH-892

**Craig Melodia /R5/USEPA/US**

11/17/2009 04:21 PM

To Scott Hansen

cc Deborah Garber, REBECCA FREY

bcc

Subject Re: Fw: Letter to Mr. Melodia

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

Scott Hansen

I passed it on to the State. I should get...

11/17/2009 03:24:29 PM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Deborah Garber/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA  
Date: 11/17/2009 03:24 PM  
Subject: Re: Fw: Letter to Mr. Melodia

Scott

Craig Melodia

Becky, Scott: Attached is a letter from...

11/17/2009 01:53:59 PM

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA  
Cc: Deborah Garber/R5/USEPA/US@EPA  
Date: 11/17/2009 01:53 PM  
Subject: Fw: Letter to Mr. Melodia

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 11/17/2009 01:45 PM -----

From: <sleifer@bakerbotts.com>  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 11/17/2009 01:43 PM  
Subject: Letter to Mr. Melodia

Craig: Please see the attached letter. Regards, SL

Steve Leifer  
Baker Botts LLP  
1299 Pennsylvania Ave., N.W.  
Washington, DC 20004-2400  
202-639-7723  
202-262-9771 (cell)  
sleifer@bakerbotts.com

<<Letter to Mr. Melodia.PDF>> [attachment "Letter to Mr. Melodia.PDF" deleted by Scott Hansen/R5/USEPA/US]

05-FOI-00906-11WH-893

**Craig Melodia /R5/USEPA/US**

07/21/2010 09:49 AM

To TBenson

cc Gary Steinbauer

bcc

Subject Fw: Ashland Lakefront Site

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 07/21/2010 09:47 AM -----

From: "Crass, David A (22267)" <DACrass@michaelbest.com>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: "Carney, Kristen S" <Kristen.S.Carney@xcelenergy.com>  
Date: 07/21/2010 09:43 AM  
Subject: Ashland Lakefront Site

Craig: Thanks for getting back to me yesterday via voicemail in terms of us meeting (at least via teleconference) on July 29th. You mentioned that Tom Benson's schedule was tight. Kristen and I have reserved the day (because we were willing to come to Chicago) so really anytime works for us, mindful that Kristen is on Mountain time. So perhaps you could simply check with Tom about what time would work on his schedule and then we'll set it up. Once I hear back from you, I'll send out an outlook invite which will contain the dial in information for our respective calendars.

The agenda of items we would like to discuss is as follows:

1. Follow up on allocation approach issues identified during 6/21 Allocation Report presentation;
2. Issuance of Special Notice Letters Post-ROD;
3. Issuance of Further 104(e) Requests;
4. AOC Notice of Completion
5. Overall Plan for Negotiations of RD/RA Phase of the Project.

We will have a document for your review re #1. The best way to review it will be electronically, because there will be hyperlinks to underlying supporting documents. As such, it would make sense to have the electronic document up on your computers while we talk. We'll get this to you before the call.

Thanks and please advise.

<b>MICHAEL BEST</b> & FRIEDRICH LLP	
<b>David A. Crass</b> Attorney at Law	Direct: (608) 283-2267 dacrass@michaelbest.com

One South Pinckney Street, Suite 700 Madison, WI 53703  
P.O. Box 1806 Madison WI 53701-1806  
Phone: (608) 257-3501 Fax: (608) 283-2275  
[michaelbest.com/dacrass](http://michaelbest.com/dacrass)

[michaelbest.com](http://michaelbest.com)

\*\*\*\*\*  
\*\*\*\*\*

Unless otherwise expressly indicated, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.

05-FOI-00906-11WH-894

**Craig Melodia /R5/USEPA/US**

07/26/2010 11:45 AM

To "Benson, Thomas (ENRD)"

cc

bcc

Subject RE: Ashland Lakefront Site

Tom, I checked with Dave and they can do a call the afternoon of Monday Aug 9th as an alternative date. If that doesn't work for you they'd appreciate scheduling it for 10 central this Thurs the 29th.

"Benson, Thomas (ENRD)"

Hi Craig, I won't know whet...

07/22/2010 03:58:02 PM

From: "Benson, Thomas (ENRD)" <TBenson@ENRD.USDOJ.GOV>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Gary Steinbauer/R5/USEPA/US@EPA  
Date: 07/22/2010 03:58 PM  
Subject: RE: Ashland Lakefront Site

Hi Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

[REDACTED]

Thanks,

Tom

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov  
[mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Wednesday, July 21, 2010 10:50 AM  
To: Benson, Thomas (ENRD)  
Cc: Steinbauer.Gary@epamail.epa.gov  
Subject: Fw: Ashland Lakefront Site

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

[REDACTED]

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 07/21/2010 09:47 AM

-----

From: "Crass, David A (22267)" <DACrass@michaelbest.com>

To: Craig Melodia/R5/USEPA/US@EPA

Cc: "Carney, Kristen S" <Kristen.S.Carney@xcelenergy.com>

Date: 07/21/2010 09:43 AM

Subject: Ashland Lakefront Site

Craig: Thanks for getting back to me yesterday via voicemail in terms of us meeting (at least via teleconference) on July 29th. You mentioned that Tom Benson's schedule was tight. Kristen and I have reserved the day (because we were willing to come to Chicago) so really anytime works for us, mindful that Kristen is on Mountain time. So perhaps you could simply check with Tom about what time would work on his schedule and then we'll set it up. Once I hear back from you, I'll send out an outlook invite which will contain the dial in information for our respective calendars.

The agenda of items we would like to discuss is as follows:

1. Follow up on allocation approach issues identified during 6/21 Allocation Report presentation;
2. Issuance of Special Notice Letters Post-ROD;
3. Issuance of Further 104(e) Requests;
4. AOC Notice of Completion
5. Overall Plan for Negotiations of RD/RA Phase of the Project.

We will have a document for your review re #1. The best way to review it will be electronically, because there will be hyperlinks to underlying supporting documents. As such, it would make sense to have the electronic document up on your computers while we talk. We'll get this to you before the call.

Thanks and please advise.

(Embedded image moved to file: pic06227.gif)	
David A. Crass Attorney at Law	Direct: (608) 283-2267 dacrass@michaelbest.com

One South Pinckney |  
Street, Suite 700 |  
Madison, WI 53703 |  
P.O. Box 1806 Madison |  
WI 53701-1806 |  
Phone: (608) 257-3501 |  
Fax: (608) 283-2275 |  
michaelbest.com/dacrass
(Embedded image moved |  
to file: pic00555.gif) |  
-----

\*\*\*\*\*  
\*\*\*\*

Unless otherwise expressly indicated, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.

05-FOI-00906-11WH-895

**Craig Melodia /R5/USEPA/US**

08/09/2010 09:14 AM

To Scott Hansen

cc Gary Steinbauer

bcc

Subject Fw: Ashland - Technical Memorandum

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

Scott:

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 08/09/2010 09:08 AM -----

From: "Crass, David A (22267)" <DACrass@michaelbest.com>  
To: Craig Melodia/R5/USEPA/US@EPA, "thomas.benson@usdoj.gov" <thomas.benson@usdoj.gov>  
Cc: "Carney, Kristen S" <Kristen.S.Carney@xcelenergy.com>  
Date: 08/09/2010 08:47 AM  
Subject: FW: Ashland - Technical Memorandum

Craig and Tom: In advance of our teleconference at 1 p.m. Central, please see the attached letter as well as the technical memorandum and supporting documents compiled by Gradient accessible by clicking on the link below with an open web browser.

Thanks and I look forward to talking with you at 1 p.m. Central today.

Dave Crass  
dacrass@michaelbest.com

**From:** Kurt Herman [mailto:kh Herman@gradientcorp.com]  
**Sent:** Monday, August 09, 2010 8:15 AM  
**To:** Crass, David A (22267)  
**Subject:** Ashland - Technical Memorandum

The Technical Memorandum has been posted here :

<ftp://xcel:Grad2009@ftp.gradientcorp.com/209131/>

user: xcel  
Pass: Grad2009

Regards;

**Kurt Herman** | Gradient | (617) 395-5568

This message contains information that may be confidential or privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy, or disclose to anyone this message or any information contained in the message. If you have received this message in error, please advise the sender by reply e-mail and delete all copies of this message and its attachments.



\*\*\*\*\*  
\*\*\*\*\*

Unless otherwise expressly indicated, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.



Ltr to Melodia re allocation followup (B2398101).PDF

05-FOI-00906-11WH-896

**Craig Melodia /R5/USEPA/US**

09/02/2010 01:04 PM

To Scott Hansen

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

Subject Re: Fw: Ashland: Request for Data

Scott Hansen

----- Forwarded by Scott Hansen/R5/U...

09/02/2010 12:45:59 PM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 09/02/2010 12:45 PM  
Subject: Fw: Ashland: Request for Data

----- Forwarded by Scott Hansen/R5/USEPA/US on 09/02/2010 12:45 PM -----

From: "Crass, David A (22267)" <DACrass@michaelbest.com>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Scott Hansen/R5/USEPA/US@EPA, "Daniel.Graff@Wisconsin.gov"  
<Daniel.Graff@Wisconsin.gov>, "Carney, Kristen S" <Kristen.S.Carney@xcelenergy.com>  
Date: 08/23/2010 03:55 PM  
Subject: RE: Ashland: Request for Data

Craig: Please see the attached in response to the below request.

Dave Crass  
dacrass@michaelbest.com

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Tuesday, August 17, 2010 11:09 AM  
To: Crass, David A (22267)  
Cc: Hansen.Scott@epamail.epa.gov; Daniel.Graff@Wisconsin.gov  
Subject: Ashland: Request for Data

Dave,

At the meeting in Chicago in June, EPA and DNR requested some of the underlying data and analysis for the Gradient allocation report. Specifically we requested the raw data on the ratios of 4-6 ring PAHs and analysis that distinguishes separate sources or signatures of "Upper Bluff" PAHs from those found in Kreher Park and the Bay. The Aug. 4th memo from Gradient does not include this data and I would again request the raw data and underlying analysis that supports Gradient's conclusions about 4-6 ring PAH ratios and proportions and how they draw conclusions about the separate sources of PAHs in the Park and Bay. On our last call I promised to forward to you the USACOE information on dredging projects since 1963 that shows such dredging did not occur on-site or involve placement of dredged materials on-site. I will forward this information soon. If you have any questions about this request please let me know and I appreciate your cooperation.

Craig Melodia

USEPA Region 5  
Office of Regional Counsel  
(312) 353-8870

\*\*\*\*\*

Unless otherwise expressly indicated, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.

[attachment "Response to EPA Info Request (8-23-10) (B2411186).PDF" deleted by Craig Melodia/R5/USEPA/US]

05-FOI-00906-11WH-897

**Craig Melodia /R5/USEPA/US**

12/06/2010 10:56 AM

To Scott Hansen

cc REBECCA FREY

bcc

Subject Re: Fw: December 14 meeting

Thanks. How about Thursday at 10 am for a brief meeting? I can come to 6 and will try and reserve a room and send you and Becky an invite.

Scott Hansen

Craig, I am available today and most of...

12/06/2010 10:40:34 AM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: REBECCA FREY/R5/USEPA/US@EPA  
Date: 12/06/2010 10:40 AM  
Subject: Re: Fw: December 14 meeting

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement proceedings

Craig,

I am available today and most of tomorrow. I am out Wed. but open most of Thursday and out Friday. [REDACTED]

Scott

Craig Melodia

FYi - we're having an attorney meeting...

12/06/2010 10:34:53 AM

From: Craig Melodia/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA  
Date: 12/06/2010 10:34 AM  
Subject: Fw: December 14 meeting

[REDACTED]

----- Forwarded by Craig Melodia/R5/USEPA/US on 12/06/2010 10:29 AM -----

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement proceedings

From: Craig Melodia/R5/USEPA/US  
To: TBenson@ENRD.USDOJ.GOV  
Date: 12/06/2010 10:11 AM  
Subject: Fw: December 14 meeting

Tom: We are confirmed for the 14th (next Tues). [REDACTED]

[REDACTED] S  
----- Forwarded by Craig Melodia/R5/USEPA/US on 12/06/2010 10:09 AM -----

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement proceedings

From: "Carney, Kristen S" <Kristen.S.Carney@xcelenergy.com>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: "Karl.Karg@lw.com" <Karl.Karg@lw.com>, "Kelly.Richardson@LW.com" <Kelly.Richardson@LW.com>, "Crass, David A (22267)" <DACrass@michaelbest.com>

Date: 12/03/2010 03:34 PM  
Subject: RE: December 14 meeting

---

Craig,  
Thank you for coordinating schedules with Tom. We look forward to meeting with you on the 14th. I wanted to let you know that we have recently added folks to our team, including Karl Karg and Kelly Richardson of Latham & Watkins. They plan to attend on the 14th, along with myself and Dave Crass. When you have the logistics pinned down in terms of a conference room, can you please email everyone on this distribution as I will be out of the country next week and may have limited access to email. I understand we are thinking about at 10 AM start time and agree that we may want to block about 3 hours for the meeting. Thanks so much.

Kristen Shults Carney

Xcel Energy | Responsible By Nature

Assistant General Counsel

1800 Larimer, 11th Floor, Denver, CO 80202

P: 303-294-2753 F: 303-294-2988

E: kristen.s.carney@xcelenergy.com

---

XCELENERGY.COM

Please consider the environment before printing this email

This email is covered by the Electronic Communications Privacy Act, 18 USC Sections 2510-2521. This email, and any attachments, may contain confidential, private and/or privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply mail and delete all copies of this message and any attachments.

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Friday, December 03, 2010 11:41 AM  
To: Carney, Kristen S  
Subject: Re: December 14 meeting

Still work for you?

From: "Carney, Kristen S" <Kristen.S.Carney@xcelenergy.com>  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 12/03/2010 11:56 AM

Subject: Re: December 14 meeting

I did just confirm that the 14th works for outside counsel. I will try to call you later this afternoon to discuss logistics.

From: Carney, Kristen S  
To: Craig Melodia (melodia.craig@epa.gov)  
Sent: Fri Dec 03 09:41:42 2010  
Subject: December 14 meeting

Craig,  
I am just trying to confirm availability for a meeting on the 14th on my end but should be able to do so by the end of the day today. It looks like December 14 with a mid-morning start and a 3-4 hour meeting should work for a lawyer only meeting on my end, but I am just waiting on final confirmation from outside counsel. I will update you as soon as I can.  
Thanks.

Kristen Shults Carney  
Xcel Energy | Responsible By Nature  
Assistant General Counsel  
1800 Larimer, 11th Floor, Denver, CO 80202  
P: 303-294-2753 F: 303-294-2988

E: kristen.s.carney@xcelenergy.com

---

XCELENERGY.COM

Please consider the environment before printing this email

This email is covered by the Electronic Communications Privacy Act, 18 USC Sections 2510-2521. This email, and any attachments, may contain confidential, private and/or privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply mail and delete all copies of this message and any attachments.

05-FOI-00906-11WH-898

**Craig Melodia /R5/USEPA/US**

12/28/2010 12:07 PM

To TBenson

cc

bcc

Subject \*Confidential: Fw: Ashland Lakefront Letter and  
Confidentiality Agreement

fyi ...

----- Forwarded by Craig Melodia/R5/USEPA/US on 12/28/2010 12:05 PM -----

From: "Ted Waskowski" <TWASKOWSKI@staffordlaw.com>  
To: Craig Melodia/R5/USEPA/US@EPA, <PMANN@coawi.org>, "Richard Yde"  
<RYDE@staffordlaw.com>, <Kristen.S.Carney@xcelenergy.com>, "Crass, David A (22267)"  
<DACrass@michaelbest.com>, <Karl.Karg@lw.com>, <Kelly.Richardson@LW.com>  
Date: 12/28/2010 12:01 PM  
Subject: RE: Ashland Lakefront Letter and Confidentiality Agreement

---

Our client has authorized us to enter into the confidentiality  
agreement.

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov  
[mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Wednesday, December 22, 2010 4:10 PM  
To: PMANN@coawi.org; Richard Yde; Ted Waskowski;  
Kristen.S.Carney@xcelenergy.com; Crass, David A (22267);  
'Karl.Karg@lw.com'; 'Kelly.Richardson@LW.com'  
Subject: Ashland Lakefront Letter and Confidentiality Agreement

Please see attached.

(See attached file: Confidentiality Agreement Letter.pdf) (See attached  
file: Ashland-Confidentiality-Agreement.docx)

05-FOI-00906-11WH-899

**Craig Melodia /R5/USEPA/US**

01/05/2011 08:40 AM

To "Benson, Thomas (ENRD)"

cc

bcc

Subject Fw: Ashland Superfund Site - Xcel Documents

Tom, here it is ...

----- Forwarded by Craig Melodia/R5/USEPA/US on 01/05/2011 08:40 AM -----

From: <Karl.Karg@lw.com>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: <DACrass@michaelbest.com>, <Daniel.Graff@Wisconsin.gov>, <Kelly.Richardson@LW.com>, <TBenson@ENRD.USDOJ.GOV>, <Kristen.S.Carney@xcelenergy.com>  
Date: 01/05/2011 08:33 AM  
Subject: Ashland Superfund Site - Xcel Documents

---

Craig:

In advance of our call tomorrow and our meeting next week, please find attached the following documents:

1. A short cover letter.
2. A cover letter to our Blueprint with a detailed explanation of the merits of our proposal.
3. A Conceptual Blueprint for Xcel's proposal.

I am also hand delivering a hard copies to your office this morning.

We look forward to talking with you tomorrow, and we look forward to seeing all of you next week in Madison.

Please let me know if you have any questions -

Karl

Karl A. Karg

LATHAM & WATKINS LLP  
233 South Wacker Drive, Suite 5800  
Chicago, IL 60606  
Direct Dial: +1.312.876.7691  
Fax: +1.312.993.9767  
Email: karl.karg@lw.com  
<http://www.lw.com>

This e-mail is sent by a law firm and may contain information that is privileged or confidential.  
If you are not the intended recipient, please delete the e-mail and any attachments and notify us immediately.





Melodia Cover.pdf Blueprint.pdf Cover Letter to Blueprint.pdf

05-FOI-00906-11WH-900

**Craig Melodia /R5/USEPA/US**

04/20/2011 08:35 AM

To Scott Hansen

cc Deborah Garber, REBECCA FREY, Thomas.Benson

bcc

Subject Re: Ashland AOC Meeting

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

[REDACTED]

Scott Hansen

I am available May 5th and at this time...

04/20/2011 07:41:30 AM

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Deborah Garber/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA,  
Thomas.Benson@usdoj.gov  
Date: 04/20/2011 07:41 AM  
Subject: Re: Ashland AOC Meeting

I am available May 5th and at this time May 16th and 17th are open. Are they wanting a face to face or conference call meeting?

Craig Melodia

All, I just got off the phone with Karl Ka...

04/19/2011 04:00:43 PM

From: Craig Melodia/R5/USEPA/US  
To: Thomas.Benson@usdoj.gov, Scott Hansen/R5/USEPA/US@EPA, REBECCA  
FREY/R5/USEPA/US@EPA  
Cc: Deborah Garber/R5/USEPA/US@EPA  
Date: 04/19/2011 04:00 PM  
Subject: Ashland AOC Meeting

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

[REDACTED]

[REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-901

**Craig Melodia /R5/USEPA/US**

04/21/2011 08:18 AM

To REBECCA FREY

cc

bcc

Subject Re: Fw:Ashland meeting

If it's a technical meeting as they suggest I def. think you should participate so will let them know the 18th is out. Thanks

REBECCA FREY

Craig, It's likely that I'll be traveling o...

04/20/2011 04:35:28 PM

From: REBECCA FREY/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 04/20/2011 04:35 PM  
Subject: Re: Fw:Ashland meeting

Craig,  
It's likely that I'll be traveling on 5/18 (most of that week), and if so, I would not be able to participate.  
- Becky

Craig Melodia

fyi ... ----- Forwarded by Craig Melodia/...

04/20/2011 04:30:25 PM

From: Craig Melodia/R5/USEPA/US  
To: Deborah Garber/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Thomas.Benson@usdoj.gov, Scott Hansen/R5/USEPA/US@EPA, THOMAS SHORT/R5/USEPA/US@EPA  
Date: 04/20/2011 04:30 PM  
Subject: Fw:Ashland meeting

fyi ...

----- Forwarded by Craig Melodia/R5/USEPA/US on 04/20/2011 04:28 PM -----

From: Craig Melodia/R5/USEPA/US  
To: <Karl.Karg@lw.com>  
Date: 04/20/2011 04:28 PM  
Subject: Re: meeting

Karl: A group legal/tech meeting is fine. The 18th though seems like a long time off to hold a first meeting and is going to put us in the 60 day period under the special notice procedures. Does the 5th no longer work for your group? I think we'd prefer to host as well. Let me know if the 5th is no longer good and I will check the 18th since that was not one of the dates I ran by my group.

Thanks

Craig: Sorry for the continued back and...

04/20/2011 02:36:44 PM

From: <Karl.Karg@lw.com>  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 04/20/2011 02:36 PM  
Subject: meeting

Craig:

Sorry for the continued back and forth, but we're focused on 5/18, from approximately 11-5, and we're happy to host it and have lunch brought in so we can work thru it.

Would this work for your team?

**Karl A. Karg**

**LATHAM & WATKINS LLP**  
233 South Wacker Drive, Suite 5800  
Chicago, IL 60606  
Direct Dial: +1.312.876.7691  
Fax: +1.312.993.9767  
Email: [karl.karg@lw.com](mailto:karl.karg@lw.com)  
<http://www.lw.com>

This e-mail is sent by a law firm and may contain information that is privileged or confidential . If you are not the intended recipient, please delete the e-mail and any attachments and notify us immediately.

\*\*\*\*\*  
\*\*\*\*\*

To comply with IRS regulations, we advise you that any discussion of Federal tax issues in this e-mail was not intended or written to be used, and cannot be used by you, (i) to avoid any penalties imposed under the Internal Revenue Code or (ii) to promote, market or recommend to another party any transaction or matter addressed herein.

For more information please go to <http://www.lw.com/docs/irs.pdf>

\*\*\*\*\*  
\*\*\*\*\*

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

Latham & Watkins LLP

05-FOI-00906-11WH-902

**Craig Melodia /R5/USEPA/US**

05/18/2011 12:53 PM

To Thomas.Benson

cc

bcc

Subject Fw: Ashland: Letter

----- Forwarded by Craig Melodia/R5/USEPA/US on 05/18/2011 12:52 PM -----

From: Craig Melodia/R5/USEPA/US  
To: <Karl.Karg@lw.com>  
Date: 05/18/2011 12:52 PM  
Subject: Re: Ashland: Letter

Thanks Karl - hope the meeting is going well. I wanted to quickly respond to your question. The NSPW Proposed Schedule attached to your May 9th letter has "10Nov11" to sign final AOC. That's what we are referencing. Talk to you next week.

Craig

Craig: Thanks. We're in the PRP meeti...

05/18/2011 12:46:59 PM

From: <Karl.Karg@lw.com>  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 05/18/2011 12:46 PM  
Subject: Re: Ashland: Letter

Exemption 5 - Attorney Client Privilege  
Exemption 7(a) - Interference with enforcement  
proceedings

Craig:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Karl

----- Original Message -----

From: Melodia.Craig@epamail.epa.gov <Melodia.Craig@epamail.epa.gov>  
To: Karg, Karl (CH); Kristen.S.Carney@xcelenergy.com  
<Kristen.S.Carney@xcelenergy.com>; Crass, David A (22267)  
<DACrass@michaelbest.com>; Richardson, Kelly (SD);  
Kristen.S.Carney@xcelenergy.com <Kristen.S.Carney@xcelenergy.com>;  
thomas.benson@usdoj.gov <thomas.benson@usdoj.gov>; Graff, Daniel A -  
DNR <Daniel.Graff@Wisconsin.gov>  
Sent: Wed May 18 10:24:31 2011  
Subject: Ashland: Letter

Karl,

Attached is a letter as a follow up to our conversation on Monday.  
Please call when you have dates for a possible meeting following EPA  
receipt of the proposed attachments to the SOW.

Thank you,

Craig

(See attached file: EPA-Ltr-Pilot-Schedule-May-18.pdf)

\*\*\*\*\*  
\*

To comply with IRS regulations, we advise you that any discussion of Federal  
tax issues in this  
e-mail was not intended or written to be used, and cannot be used by you, (i)  
to avoid any penalties  
imposed under the Internal Revenue Code or (ii) to promote, market or  
recommend to another party any  
transaction or matter addressed herein.

For more information please go to <http://www.lw.com/docs/irs.pdf>

\*\*\*\*\*  
\*

This email may contain material that is confidential, privileged and/or  
attorney work product for  
the sole use of the intended recipient. Any review, reliance or distribution  
by others or forwarding  
without express permission is strictly prohibited. If you are not the  
intended recipient, please  
contact the sender and delete all copies.

Latham & Watkins LLP

05-FOI-00906-11WH-903

**Craig Melodia /R5/USEPA/US**

07/14/2011 04:10 PM

To TWASKOWSKI, RYDE

cc Scott Hansen, Thomas.Benson, John.Robinson, Daniel.Graff  
bcc

Subject Ashland Lakefront: Special Notice Letter

Ted, Dick: Attached please find EPA's response to the City's June 30th letter. I checked the dates for a proposed meeting and unfortunately July 27, 28 and 29th will not work on our end. We can do it earlier that week or the week of August 1st. Please let me know if there is an alternative date(s) that works for you.

Thank you,

Craig Melodia  
USEPA Region 5  
Office of Regional Counsel  
(312) 353-8870



EPA-Ltr-City-7-14-11.pdf

05-FOI-00906-11WH-904

**Craig Melodia /R5/USEPA/US**

07/15/2011 04:47 PM

To Scott Hansen, Thomas.Benson

cc

bcc

Subject Fw: RE: Ashland Lakefront: Special Notice Letter

Are you guys available Aug 2nd? Tom, I assume you'll call in.

-----Forwarded by Craig Melodia/R5/USEPA/US on 07/15/2011 04:46PM -----

To: Craig Melodia/R5/USEPA/US@EPA

From: "Richard Yde" <RYDE@staffordlaw.com>

Date: 07/15/2011 09:41AM

cc: <Thomas.Benson@usdoj.gov>, <Daniel.Graff@Wisconsin.gov>, "Ted Waskowski" <TWASKOWSKI@staffordlaw.com>

Subject: RE: Ashland Lakefront: Special Notice Letter

We can do Tuesday, Thursday or Friday (August 2, 4 or 5). Tuesday is preferred.

Richard C. Yde  
Government Law Team Leader  
Stafford Rosenbaum LLP  
222 West Washington Avenue, Suite 900  
P.O. Box 1784  
Madison, Wisconsin 53701-1784  
Direct: 608.259.2639

Fax: 608.250.2600

Email: ryde@staffordlaw.com

[www.staffordlaw.com](http://www.staffordlaw.com)



If you receive this e-mail in error, use or disclosure is prohibited. Please notify me of the error by e-mail and delete this e-mail. Thank you.

**From:** Craig Melodia [mailto:Melodia.Craig@epamail.epa.gov]

**Sent:** Friday, July 15, 2011 7:55 AM

**To:** Richard Yde

**Cc:** Thomas.Benson@usdoj.gov; Daniel.Graff@Wisconsin.gov; Ted Waskowski

**Subject:** RE: Ashland Lakefront: Special Notice Letter

Dick: Looks like the week of Aug 1st might work best for us. I'm available that whole week. I think Scott Hansen is too. Let me know if you have a preference that week and I'll check on our side.



Thanks,

Craig

-----"Richard Yde" <RYDE@staffordlaw.com> wrote: -----

To: Craig Melodia/R5/USEPA/US@EPA  
From: "Richard Yde" <RYDE@staffordlaw.com>  
Date: 07/14/2011 04:50PM  
cc: <Thomas.Benson@usdoj.gov>, <Daniel.Graff@Wisconsin.gov>, "Ted Waskowski" <TWASKOWSKI@staffordlaw.com>  
Subject: RE: Ashland Lakefront: Special Notice Letter

7/25 and 26 may be possible, depending on events next week. If so, would you be available? Otherwise, what is your availability the following week?

Richard C. Yde  
Government Law Team Leader  
Stafford Rosenbaum LLP  
222 West Washington Avenue, Suite 900  
P.O. Box 1784  
Madison, Wisconsin 53701-1784  
Direct: 608.259.2639  
Fax: 608.250.2600  
Email: ryde@staffordlaw.com  
www.staffordlaw.com

If you receive this e-mail in error, use or disclosure is prohibited. Please notify me of the error by e-mail and delete this e-mail. Thank you.

-----Original Message-----

From: Craig Melodia [<mailto:Melodia.Craig@epamail.epa.gov>]  
Sent: Thursday, July 14, 2011 4:11 PM  
To: Ted Waskowski; Richard Yde  
Cc: Scott Hansen; Thomas.Benson@usdoj.gov; John.Robinson@wisconsin.gov; Daniel.Graff@Wisconsin.gov  
Subject: Ashland Lakefront: Special Notice Letter

Ted, Dick: Attached please find EPA's response to the City's June 30th letter. I checked the dates for a proposed meeting and unfortunately July 27, 28 and 29th will not work on our end. We can do it earlier that week or the week of August 1st. Please let me know if there is an alternative date(s) that works for you.

Thank you,

Craig Melodia  
USEPA Region 5  
Office of Regional Counsel  
(312) 353-8870

(See attached file: EPA-Ltr-City-7-14-11.pdf)

05-FOI-00906-11WH-905

**Craig Melodia /R5/USEPA/US**

02/17/2009 03:15 PM

To Peter Felitti

cc

bcc

Subject ICS Request for Ashland/NSP Lakefront Site (ID B5 N5)

Peter, Please find attached an ICS request. Thanks - Craig



2008 form requesting ICS.doc

05-FOI-00906-11WH-906

**Craig Melodia /R5/USEPA/US**

09/14/2009 10:51 AM

To melodica.craig

cc

bcc

Subject Ashland City Attorney

Exemption 5 - Attorney Client Privilege

[REDACTED]

05-FOI-00906-11WH-907

**Deborah  
Garber/R5/USEPA/US**

06/14/2010 11:15 AM

To Craig Melodia

cc Gary Steinbauer

bcc

Exemption 5 - Attorney Client Privilege

Subject

[REDACTED]

[REDACTED]

05-FOI-00906-11WH-908

**Craig Melodia /R5/USEPA/US**

05/20/2011 09:42 AM

To melodia.craig

cc

bcc

Subject FW: NRD Settlement Letter - Ashland/NSP Superfund Site

-----Forwarded by Craig Melodia/R5/USEPA/US on 05/20/2011 09:42AM -----

To: Craig Melodia/R5/USEPA/US@EPA

From: "Benson, Thomas (ENRD)" <Thomas.Benson@usdoj.gov>

Date: 05/20/2011 08:05AM

Subject: FW: NRD Settlement Letter - Ashland/NSP Superfund Site

Exemption 5 - Attorney Client Privilege

**From:** Jerow, Thomas S - DNR [mailto:Thomas.Jerow@wisconsin.gov]

**Sent:** Thursday, May 19, 2011 6:05 PM

**To:** Benson, Thomas (ENRD)

**Cc:** Galarneau, Stephen G - DNR; Graff, Daniel A - DNR; Robinson, John H - DNR

**Subject:** RE: [REDACTED]

Exemption 5 - Attorney Client Privilege



Northern Region Water Leader


Wisconsin Department of Natural Resources

107 Sutliff Ave.

Rhineland, WI 54501

(☎) **phone:** (715) 365-8901

(☎) **fax:** (715) 365-8935

() **e-mail:** Thomas.Jerow@wisconsin.gov

---

**From:** Benson, Thomas (ENRD) [mailto:Thomas.Benson@usdoj.gov]  
**Sent:** Wednesday, May 18, 2011 03:51 PM  
**To:** Betsy Galbraith; Bruce.Baker@Wisconsin.gov; Charles.Ledin@Wisconsin.gov; Dave Warburton; David Ujke; Bad River Band - DMA; Kevin Lowry; larmagost@redcliff-nsn.gov; Louise\_Clemency@fws.gov; Marguerite.Matera@noaa.gov; Mark Brouder; rmaday@badriver.com; Sarah Warner; souliere@badriver.com; Galarneau, Stephen G - DNR; Jerow, Thomas S - DNR; Tim Funk; Todd.Goeks@noaa.gov; Tom Kerr; Tracey Ledder  
**Cc:** Melodia.Craig@epamail.epa.gov; Hansen.Scott@epamail.epa.gov; Graff, Daniel A - DNR; Robinson, John H - DNR  
**Subject:** FW: NRD Settlement Letter - Ashland/NSP Superfund Site

Hi All,

Exemption 5 - Attorney Client Privilege

[REDACTED]

How about a call Wednesday, May 25? I'll tentatively suggest 2 p.m. central time.

Thanks,

Tom

**From:** Donovan, David D [mailto:david.d.donovan@xcelenergy.com]  
**Sent:** Wednesday, May 18, 2011 10:10 AM  
**To:** Benson, Thomas (ENRD)  
**Cc:** Carney, Kristen S; Swenson, Michael L; Winslow, Jerry C  
**Subject:** NRD Settlement Letter - Ashland/NSP Superfund Site

Mr. Benson:

Attached is a letter describing a settlement offer for the Natural Resource Damages related to the Ashland/Northern States Power Lake Front Superfund Site. If you have any questions regarding the contents of the attached letter, please contact Kristen Carney at 303-294-2753 or by e-mail at [kristen.s.carney@xcelenergy.com](mailto:kristen.s.carney@xcelenergy.com).

A paper copy of this letter will be mailed to you today, as well.

**David Donovan**

**Xcel Energy | NSPW**

**Manager, Regulatory Policy**

**P: 608.280.7308 F: 608.280-7359**

**E: [david.d.donovan@xcelenergy.com](mailto:david.d.donovan@xcelenergy.com)**



05-FOI-00906-11WH-909

DEBORAH GARBER  
<[deborahgarber@sbcglobal.net](mailto:deborahgarber@sbcglobal.net)>

07/14/2011 01:21 PM

To Craig Melodia

cc

bcc

Subject Re: Remember me?

Exemption 5 - Attorney Client Privilege

[REDACTED]

From: Craig Melodia <[Melodia.Craig@epamail.epa.gov](mailto:Melodia.Craig@epamail.epa.gov)>

Subject: Re: Remember me?

To: "DEBORAH GARBER" <[deborahgarber@sbcglobal.net](mailto:deborahgarber@sbcglobal.net)>

Date: Thursday, July 14, 2011, 11:16 AM

Exemption 5 - Attorney Client Privilege

[REDACTED]

From: DEBORAH GARBER <[deborahgarber@sbcglobal.net](mailto:deborahgarber@sbcglobal.net)>

To: Craig Melodia/R5/USEPA/US@EPA

Date: 07/14/2011 08:48 AM

Subject: Remember me?

Exemption 5 - Attorney Client Privilege

[REDACTED]

--- On Mon, 6/20/11, [Melodia.Craig@epamail.epa.gov](mailto:Melodia.Craig@epamail.epa.gov) <[Melodia.Craig@epamail.epa.gov](mailto:Melodia.Craig@epamail.epa.gov)> wrote:

From: [Melodia.Craig@epamail.epa.gov](mailto:Melodia.Craig@epamail.epa.gov) <[Melodia.Craig@epamail.epa.gov](mailto:Melodia.Craig@epamail.epa.gov)>

Subject: Hi!

To: [deborahgarber@sbcglobal.net](mailto:deborahgarber@sbcglobal.net)

Date: Monday, June 20, 2011, 1:21 PM

Exemption 5 - Attorney Client Privilege

[REDACTED]

Craig

05-FOI-00906-11WH-910

**Gary Steinbauer**

To

cc

bcc

Subject UPLOAD C:\EPAWork\Documents\Ashland Search  
Results\Ashland\CERCLA Apportionment Case Law  
Compendium.pdf



- CERCLA Apportionment Case Law Compendium.pdf

05-FOI-00906-11WH-911

**Craig Melodia**

To

cc

bcc

Subject UPLOAD C:\Documents and Settings\cmelodia\My  
Documents\Ashland FOIA\ROD\WAR-10-4-10-CM.docx



- WAR-10-4-10-CM.docx

05-FOI-00906-11WH-912

**Craig Melodia /R5/USEPA/US**

04/22/2004 10:52 AM

To Helen Mays

cc Sharon Jaffess, Deloris Johnson

bcc

Subject Fw: RIN# 00967-04

Helen:

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 04/22/04 10:49 AM -----

**Craig Melodia**

04/15/04 12:04 PM

To: Helen Mays/R5/USEPA/US@EPA, Sharon  
Jaffess/R5/USEPA/US@EPA

cc:

Subject: Fw: RIN# 00967-04

Hele,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 04/15/04 11:59 AM -----

**Craig Melodia**

04/14/04 03:15 PM

To: Craig Melodia/R5/USEPA/US@EPA

cc: Helen Mays/R5/USEPA/US@EPA, Sharon  
Jaffess/R5/USEPA/US@EPA

Subject: Re: Fw: RIN# 00967-04 📎

Craig Melodia

**Craig Melodia**

04/07/04 11:32 AM

To: Helen Mays/R5/USEPA/US, Sharon Jaffess/R5/USEPA/US

cc:

Subject: Fw: RIN# 00967-04

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

----- Forwarded by Craig Melodia/R5/USEPA/US on 04/07/04 11:25 AM -----

04/07/04 10:20 AM

To: Helen Mays/R5/USEPA/US@EPA, Sharon  
Jaffess/R5/USEPA/US@EPA  
cc:  
Subject: Fw: RIN# 00967-04

Helen, Sharon:

## Exemption 5 - Attorney Client Privilege Exemption 5 - Deliberative Process Privilege

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 04/07/04 10:18 AM -----

04/01/04 11:22 AM

To: Sharon Jaffess/R5/USEPA/US@EPA  
cc: Helen Mays/R5/USEPA/US@EPA  
Subject: Fw: RIN# 00967-04

Thanks,

Craig


----- Forwarded by Craig Melodia/R5/USEPA/US on 04/01/04 11:19 AM -----

04/01/04 10:57 AM

To: Craig Melodia/R5/USEPA/US@EPA  
cc:  
Subject: RIN# 00967-04

Hi Craig,

## Exemption 5 - Attorney Client Privilege Exemption 5 - Deliberative Process Privilege



Helen Mays, FOIA Specialist  
Documents Management Section  
U.S. EPA, Region 5  
(312) 886-6229  
Fax # (312) 886-7190

Craig Melodia /R5/USEPA/US  
04/22/2004 05:20 PM

To Helen Mays  
cc Deloris Johnson, Sharon Jaffess  
bcc

Subject Re: Fw: RIN# 00967-04

**Helen Mays**  
04/22/04 05:08 PM

To: Craig Melodia/R5/USEPA/US@EPA  
cc: Deloris Johnson/R5/USEPA/US@EPA, Sharon Jaffess/R5/USEPA/US@EPA  
Subject: Re: Fw: RIN# 00967-04 📎

Every thing went find, your folders are in records center to be pick up by you .

**Craig Melodia**  
04/22/2004 10:52 AM

To: Helen Mays/R5/USEPA/US@EPA  
cc: Sharon Jaffess/R5/USEPA/US@EPA, Deloris Johnson/R5/USEPA/US@EPA  
Subject: Fw: RIN# 00967-04

## Exemption 5 - Attorney Client Privilege Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

Craig

**Craig Melodia**  
04/15/04 12:04 PM

To: Helen Mays/R5/USEPA/US@EPA, Sharon  
Jaffess/R5/USEPA/US@EPA  
cc:  
Subject: Fw: RIN# 00967-04

[illegible]



Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 04/15/04 11:59 AM -----

**Craig Melodia**

04/14/04 03:15 PM

To: Craig Melodia/R5/USEPA/US@EPA

cc: Helen Mays/R5/USEPA/US@EPA, Sharon

Jaffess/R5/USEPA/US@EPA

Subject: Re: Fw: RIN# 00967-04

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig Melodia

**Craig Melodia**

04/07/04 11:32 AM

To: Helen Mays/R5/USEPA/US, Sharon Jaffess/R5/USEPA/US

cc:

Subject: Fw: RIN# 00967-04

----- Forwarded by Craig Melodia/R5/USEPA/US on 04/07/04 11:25 AM -----

**Craig Melodia**

04/07/04 10:20 AM

To: Helen Mays/R5/USEPA/US@EPA, Sharon

Jaffess/R5/USEPA/US@EPA

cc:

Subject: Fw: RIN# 00967-04

Helen, Sharon:

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 04/07/04 10:18 AM -----

**Craig Melodia**

04/01/04 11:22 AM

To: Sharon Jaffess/R5/USEPA/US@EPA

cc: Helen Mays/R5/USEPA/US@EPA

Subject: Fw: RIN# 00967-04

Thanks,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 04/01/04 11:19 AM -----

**Helen Mays**

04/01/04 10:57 AM

To: Craig Melodia/R5/USEPA/US@EPA

cc:

Subject: RIN# 00967-04

Hi Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Helen Mays, FOIA Specialist  
Documents Management Section  
U.S. EPA, Region 5  
(312) 886-6229  
Fax # (312) 886-7190

05-FOI-00906-11WH-914

**Sharon Jaffess /R5/USEPA/US**

07/26/2004 02:41 PM

To "Kalnicky, Richard A"

cc Briana Bill, LAWRENCE SCHMITT, Suzanne Coll

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject RE: Available funds for Ashland MA CA for now till December 2004

[REDACTED]

05-FOI-00906-11WH-915

**Craig Melodia /R5/USEPA/US**

12/09/2004 11:21 AM

To Jen Lawton

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Re: Ashland NSP

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
Jen Lawton <Jen.Lawton@noaa.gov>

**Jen Lawton**

**<Jen.Lawton@noaa.gov>**

12/07/2004 04:35 PM

To

Subject Ashland NSP

Hi Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]  
[REDACTED]  
Thanks,

Jen

\*\*\*\*\*

Jennifer Lawton

Associate Coastal Resource Coordinator

National Oceanic and Atmospheric Administration

Office of Response and Restoration

77 West Jackson SR\_6J

Chicago, IL 60604

Phone (312) 886-4663

Fax (312) 353-5541

05-FOI-00906-11WH-916

**Craig Melodia /R5/USEPA/US**

12/16/2004 04:35 PM

To Deborah Garber

cc

bcc

Subject Fw: City of Ashland

FYI ...

----- Forwarded by Craig Melodia/R5/USEPA/US on 12/16/2004 04:34 PM -----

**Craig Melodia /R5/USEPA/US**

12/16/2004 04:33 PM

To

Subject City of Ashland

Hi Sharon, Bri:

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-917

**Sharon Jaffess /R5/USEPA/US**

To Kelley Moore

cc

02/01/2005 03:35 PM

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject

[REDACTED]



hotissuerevisionlarry02012005.wpd

05-FOI-00906-11WH-918

**Craig Melodia /R5/USEPA/US**

02/17/2005 01:35 PM

To Mick Hans

cc Briana Bill, Sharon Jaffess

bcc

Subject Re: Ashland news release (d2)

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Mick: [REDACTED]

Mick Hans/R5/USEPA/US

**Mick Hans /R5/USEPA/US**

02/17/2005 12:43 PM

To

Subject Ashland news release (d2)

[REDACTED]

[REDACTED]

[REDACTED]



ash205.pr.wpd

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

05-FOI-00906-11WH-919

**Craig Melodia /R5/USEPA/US**

02/17/2005 02:59 PM

To Eric Cohen, Deborah Garber

cc Sharon Jaffess

bcc

Subject SUPERFUND COST ISSUE

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]




Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 02/17/2005 01:43 PM -----

**Sharon**  
**Jaffess/R5/USEPA/US**  
02/15/2005 08:58 AM

To Craig Melodia/R5/USEPA/US@EPA  
cc Suzanne Coll/R5/USEPA/US@EPA  
Subject ATTORNEY CLIENT COMMUNICATION  
ATTORNEY WORK PRODUCT  
PRIVILEGED AND CONFIDENTIAL  


See my comments in bold:  
Craig Melodia/R5/USEPA/US

**Craig Melodia /R5/USEPA/US** To  
02/14/2005 03:21 PM Subject SCA Documentation

[REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

05-FOI-00906-11WH-920

**Craig Melodia /R5/USEPA/US**

02/17/2005 05:23 PM

To Eric Cohen

cc Deborah Garber, Sharon Jaffess

bcc

Subject Re: SUPERFUND COST ISSUE

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Eric Cohen/R5/USEPA/US

**Eric Cohen /R5/USEPA/US**

02/17/2005 05:15 PM

To Craig Melodia/R5/USEPA/US@EPA

cc Deborah Garber/R5/USEPA/US@EPA, Sharon  
Jaffess/R5/USEPA/US@EPA

Subject Re: SUPERFUND COST ISSUE 📎

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Craig Melodia/R5/USEPA/US

**Craig Melodia /R5/USEPA/US**

02/17/2005 02:59 PM

To

Subject SUPERFUND COST ISSUE

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]


[REDACTED]

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 02/17/2005 01:43 PM -----

**Sharon  
Jaffess/R5/USEPA/US**  
02/15/2005 08:58 AM

To Craig Melodia/R5/USEPA/US@EPA  
cc Suzanne Coll/R5/USEPA/US@EPA  
Subject ATTORNEY CLIENT COMMUNICATION  
ATTORNEY WORK PRODUCT  
PRIVILEGED AND CONFIDENTIAL  


See my comments in bold:  
Craig Melodia/R5/USEPA/US

**Craig Melodia/R5/USEPA/US** To  
02/14/2005 03:21 PM Subject SCA Documentation

[REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[REDACTED]

[REDACTED]

05-FOI-00906-11WH-921

**Craig Melodia /R5/USEPA/US**

07/06/2005 11:37 AM

To Peter Felitti

cc Deborah Garber

bcc

Subject Re:

Peter:

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks,

Craig  
Peter Felitti/R5/USEPA/US

**Peter Felitti /R5/USEPA/US**

07/06/2005 08:33 AM

To Diana Embil/R5/USEPA/US@EPA, Michael  
Mcclary/R5/USEPA/US@EPA, Craig  
Melodia/R5/USEPA/US@EPA, Mark  
Palermo/R5/USEPA/US@EPA, Thomas  
Krueger/R5/USEPA/US@EPA, Crissy  
Pellegrin/R5/USEPA/US@EPA, Janet  
Carlson/R5/USEPA/US@EPA, John  
Tielsch/R5/USEPA/US@EPA, John  
Matson/R5/USEPA/US@EPA, Alan  
Walts/R5/USEPA/US@EPA, Jose  
Deleon/R5/USEPA/US@EPA, Mary  
Fulghum/R5/USEPA/US@EPA, Jeff  
Cahn/R5/USEPA/US@EPA, Susan  
Prout/R5/USEPA/US@EPA, Nola  
Hicks/R5/USEPA/US@EPA, Thomas  
Martin/R5/USEPA/US@EPA, Gaylene  
Vasaturo/R5/USEPA/US@EPA  
cc Connie Puchalski/R5/USEPA/US@EPA, Sandra  
Lee/R5/USEPA/US@EPA, Stephen  
Mendoza/R5/USEPA/US@EPA, CatherineL  
Fox/R5/USEPA/US@EPA, Janice  
Loughlin/R5/USEPA/US@EPA, Deborah  
Garber/R5/USEPA/US@EPA, Leverett  
Nelson/R5/USEPA/US@EPA, Debra  
Klassman/R5/USEPA/US@EPA, Eric  
Cohen/R5/USEPA/US@EPA, Bertram  
Frey/R5/USEPA/US@EPA, Larry Kyte/R5/USEPA/US@EPA

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject

[REDACTED]

[REDACTED] [REDACTED] [REDACTED]? Thanks



list one.doc

05-FOI-00906-11WH-922

**Craig Melodia /R5/USEPA/US**

07/10/2006 09:32 AM

To Peter Felitti

cc Deborah Garber

bcc

Subject Re: FY 07 Cost Recovery targets

Hi Peter:

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks,

Craig  
Peter Felitti/R5/USEPA/US

**Peter Felitti /R5/USEPA/US**

07/10/2006 08:11 AM

To Craig Melodia/R5/USEPA/US@EPA, Mary Fulghum/R5/USEPA/US@EPA, Michael Mcclary/R5/USEPA/US@EPA, Erik Olson/R5/USEPA/US@EPA, Nola Hicks/R5/USEPA/US@EPA, Janet Carlson/R5/USEPA/US@EPA, Deborah Carlson/R5/USEPA/US@EPA, Richard Murawski/R5/USEPA/US@EPA, Jerome Kujawa/R5/USEPA/US@EPA, Jeff Cahn/R5/USEPA/US@EPA, Steven Kaiser/R5/USEPA/US@EPA, Thomas Kenney/R5/USEPA/US@EPA, Reginald Pallesen/R5/USEPA/US@EPA, Susan Prout/R5/USEPA/US@EPA, Eileen Furey/R5/USEPA/US@EPA, Mark Koller/R5/USEPA/US@EPA, Thomas Turner/R5/USEPA/US@EPA, THOMAS WILLIAMS/R5/USEPA/US@EPA, Joseph Williams/R5/USEPA/US@EPA, Cathleen Martwick/R5/USEPA/US@EPA, Michael Berman/R5/USEPA/US@EPA, Kathleen Schnieders/R5/USEPA/US@EPA, Thomas Krueger/R5/USEPA/US@EPA, Stuart Hersh/R5/USEPA/US@EPA, Terry Stanuch/R5/USEPA/US@EPA, Christine Liszewski/R5/USEPA/US@EPA, Eaton Weiler/R5/USEPA/US@EPA, Karen Peaceman/R5/USEPA/US@EPA, Mark Palermo/R5/USEPA/US@EPA, Luis Oviedo/R5/USEPA/US@EPA, Larry Johnson/R5/USEPA/US@EPA, Barbara Wester/R5/USEPA/US@EPA, Brian



Barwick/R5/USEPA/US@EPA, Monesh  
Chabria/R5/USEPA/US@EPA, Jeffery  
Trevino/R5/USEPA/US@EPA  
cc Connie Puchalski/R5/USEPA/US@EPA, Sandra  
Lee/R5/USEPA/US@EPA, Stephen  
Mendoza/R5/USEPA/US@EPA, CatherineL  
Fox/R5/USEPA/US@EPA, Janice  
Loughlin/R5/USEPA/US@EPA, Deborah  
Garber/R5/USEPA/US@EPA, Leverett  
Nelson/R5/USEPA/US@EPA, Debra  
Klassman/R5/USEPA/US@EPA, Eric  
Cohen/R5/USEPA/US@EPA, Bertram  
Frey/R5/USEPA/US@EPA, Larry Kyte/R5/USEPA/US@EPA

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject FY 07 Cost Recovery targets

[REDACTED]

[REDACTED]



CRplanning-FY07-attorney list.doc

[REDACTED]

[REDACTED]



CRplanning-FY07-responses.doc

[REDACTED]

[REDACTED]

Peter Felitti  
6-5114

05-FOI-00906-11WH-923

**Craig Melodia /R5/USEPA/US**

01/10/2007 05:07 PM

To Deborah Garber

cc

bcc

Subject Re: case list for status summary

Deb: Please see responses below ...

Deborah Garber/R5/USEPA/US

**Deborah**

**Garber/R5/USEPA/US**

01/04/2007 03:15 PM

To Craig Melodia/R5/USEPA/US@EPA

cc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject case list for status summary

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] - [REDACTED]  
[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

05-FOI-00906-11WH-924

**Craig Melodia /R5/USEPA/US**

03/06/2007 03:38 PM

To Deborah.Johnson, Abraham Woo

cc

bcc

Subject Ashland Lakefront Site

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Craig Melodia  
(312) 353-8870

05-FOI-00906-11WH-925

**Craig Melodia /R5/USEPA/US**

05/31/2007 06:02 PM

To Grace Co

cc Deborah Garber, Larry Kyte

bcc

Subject Re: Review of Your Cases for Financial Assurance  
Requirement by May 31, 2007

Grace: Attached is the chart with my responses on FA documents provided.



Melodia.xls

Grace Co/R5/USEPA/US

**Grace Co/R5/USEPA/US**

05/23/2007 11:01 AM

To Craig Melodia/R5/USEPA/US@EPA

cc Deborah Garber/R5/USEPA/US@EPA, Larry  
Kyte/R5/USEPA/US@EPA

Subject Review of Your Cases for Financial Assurance Requirement  
by May 31, 2007

Please review the attached spreadsheet listing your cases and let me know whether each of them has an financial assurance requirement.

Please look at Larry Kyte's attached memo for further instruction.



Superfund List of settlements\_orders to review for FA requirements.doc



Melodia.xls

Thanks,  
Grace Co  
3-6779

05-FOI-00906-11WH-926

**Craig Melodia /R5/USEPA/US**

06/28/2007 11:09 AM

To Deborah Garber

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject SF Cost Targets

Deb:

[REDACTED]



SUPERFUND COST TARGETS.doc



05-FOI-00906-11WH-927

**Craig Melodia /R5/USEPA/US**

07/31/2007 04:14 PM

To Deborah Garber

cc

bcc

Subject Case Updates

Deb: For tomorrow ....



Case Update July 07.doc

05-FOI-00906-11WH-928

**Craig Melodia /R5/USEPA/US**

08/01/2007 02:46 PM

To Deborah Garber

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Fw: August CERCLA remedies call

Deb: [REDACTED]

----- Forwarded by Craig Melodia/R5/USEPA/US on 08/01/2007 02:45 PM -----

**Craig Melodia /R5/USEPA/US**

08/01/2007 02:44 PM

To Tom Williams/R5/USEPA/US

cc

Subject Re: August CERCLA remedies call 📎

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Tom: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Craig M.  
3-8870  
Tom Williams/R5/USEPA/US

**Tom Williams /R5/USEPA/US**  
08/01/2007 11:43 AM

To R5 ORC ALL ATTORNEY  
cc

■

Subject August CERCLA remedies call

[REDACTED]

05-FOI-00906-11WH-929

**Craig Melodia /R5/USEPA/US**

01/14/2008 11:01 AM

To Peter Felitti

cc Sherry Estes

bcc

Subject Re: Overdue bills

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Craig  
Peter Felitti/R5/USEPA/US

**Peter Felitti /R5/USEPA/US**

01/10/2008 04:01 PM

To R5 ORC ALL ATTORNEY

cc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Overdue bills

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Peter Felitti  
6-5114



Accounts Receivable ReportRegion AP27.wpd

Here is a link to the full report

R5 over 120 days

<http://www.r5intra.epa.gov/Div/RMD/CB/Imprompt/OECA%20AR%20R5%20-%20Detail.pdf>

,

05-FOI-00906-11WH-930

**Craig Melodia /R5/USEPA/US**

02/11/2008 12:06 PM

To GLADYS WATTS

cc

bcc

Subject 104 to City of Ashland

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Galdys,

[REDACTED]



City-08-Draft.wpd

05-FOI-00906-11WH-931

**Craig Melodia /R5/USEPA/US**

02/12/2008 02:49 PM

To GLADYS WATTS

cc THOMAS MARKS

bcc

Subject Ashland, Revised Cover Ltr

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]



City-08-Final.wpd

05-FOI-00906-11WH-932

**Craig Melodia /R5/USEPA/US**

02/13/2008 09:08 AM

To Deborah Garber

cc

bcc

Subject Fw: Comments to FS

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

----- Forwarded by Craig Melodia/R5/USEPA/US on 02/13/2008 09:07 AM -----

**Craig Melodia /R5/USEPA/US**

02/11/2008 04:23 PM

To Scott Hansen/R5/USEPA/US

cc

Subject Re: Comments to FS

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Scott: [REDACTED]



FS-EPA-Comments-DRC-Feb11th.doc  
Scott Hansen/R5/USEPA/US

**Scott Hansen /R5/USEPA/US**

02/06/2008 02:54 PM

To Craig Melodia/R5/USEPA/US@EPA

cc LAWRENCE SCHMITT/R5/USEPA/US@EPA

Subject Re: Comments to FS

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig,

[REDACTED]

Scott



ashland-EPAcmtstodraftFS-013008.doc



05-FOI-00906-11WH-933

**Craig Melodia /R5/USEPA/US**

02/14/2008 11:57 AM

To GLADYS WATTS

cc Scott Hansen

bcc

Subject Ashland 104(e) to Xcel Energy

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Gladys:

[REDACTED]

[REDACTED]

Craig



Xcel-08-Draft.wpd

05-FOI-00906-11WH-934

**Craig Melodia /R5/USEPA/US**

02/15/2008 09:32 AM

To GLADYS WATTS

cc Scott Hansen

bcc

Subject Ashland 104s to Railroads

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Gladys:

[REDACTED]

Thanks,

Craig



Canadian National-08-Draft.wpd



Canadian Pacific-08-Draft.wpd

05-FOI-00906-11WH-935

**Craig Melodia /R5/USEPA/US**

02/20/2008 08:22 PM

To garber.deborah

cc

bcc

Subject Ashland 104 for Canadian Nat'l

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Deb: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

05-FOI-00906-11WH-936

**Craig Melodia /R5/USEPA/US**

02/21/2008 12:09 PM

To garber.deborah

CC

bcc

Subject Fw: Ashland 104 for Canadian Nat'l

## Exemption 5 - Attorney Client Privilege Exemption 5 - Deliberative Process Privilege

-----Forwarded by Craig Melodia/R5/USEPA/US on 02/21/2008 12:07PM -----

To: garber.deborah@epa.gov

From: Craig Melodia/R5/USEPA/US

Date: 02/20/2008 08:22PM

Subject: Ashland 104 for Canadian Nat'l

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Deb:

05-FOI-00906-11WH-937

**Craig Melodia /R5/USEPA/US**

06/23/2008 12:26 PM

To GLADYS WATTS

cc

bcc

Subject Ashland 104(e) responses

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Gladys: [REDACTED]

Thanks,

Craig  
Gladys Watts/R5/USEPA/US


**Gladys Watts /R5/USEPA/US**

Sent by: GLADYS WATTS

06/05/2008 03:53 PM

To Craig Melodia/R5/USEPA/US@EPA

cc

Subject Re: Duplication of 104(e) on disc 

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

G. Marie Watts  
Enforcement Specialist  
U.S. Environmental Protection Agency  
Remedial Enforcement Support Section  
77 W. Jackson Blvd. (SR-6J)  
Chicago, IL 60604  
312-886-7591  
312-886-6064 FAX


Craig Melodia/R5/USEPA/US

**Craig Melodia /R5/USEPA/US**

06/05/2008 03:13 PM

To GLADYS WATTS/R5/USEPA/US@EPA

cc GLADYS WATTS/R5/USEPA/US@EPA, Scott  
Hansen/R5/USEPA/US@EPA

Subject Re: Duplication of 104(e) on disc 

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED] ?

[REDACTED]

[REDACTED]

Craig M.  
3-8870  
Gladys Watts/R5/USEPA/US

**Gladys Watts /R5/USEPA/US**  
Sent by: GLADYS WATTS

06/05/2008 02:56 PM

To Craig Melodia/R5/USEPA/US@EPA, Scott  
Hansen/R5/USEPA/US@EPA  
cc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Duplication of 104(e) on disc

[REDACTED]

G. Marie Watts  
Enforcement Specialist  
U.S. Environmental Protection Agency  
Remedial Enforcement Support Section  
77 W. Jackson Blvd. (SR-6J)  
Chicago, IL 60604  
312-886-7591  
312-886-6064 FAX

05-FOI-00906-11WH-938

**Craig Melodia /R5/USEPA/US**

07/21/2008 03:51 PM

To Deborah Garber

cc

bcc

Subject SF Cost Target

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thanks,

Craig



SUPERFUND COST TARGETS.doc

05-FOI-00906-11WH-939

**Craig Melodia /R5/USEPA/US**

07/23/2008 03:13 PM

To Deborah Garber

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Re: SF Cost Target

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] /US

**Deborah  
Garber/R5/USEPA/US**

07/23/2008 03:01 PM

To Craig Melodia/R5/USEPA/US@EPA

cc

Subject Re: SF Cost Target 

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Craig Melodia /R5/USEPA/US**

07/21/2008 03:51 PM

To Deborah Garber/R5/USEPA/US@EPA

cc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject SF Cost Target

Deb: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

Thanks,



Craig



SUPERFUND COST TARGETS.doc

05-FOI-00906-11WH-940

Larry Kyte/R5/USEPA/US

01/15/2009 09:04 AM

To [REDACTED]

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Re: The latest Superfund Pipeline Report

[REDACTED]  
[REDACTED]

Deborah Garber

----- Original Message -----

**From:** Deborah Garber

**Sent:** 01/13/2009 03:27 PM CST

**To:** Larry Kyte

**Subject:** Re: The latest Superfund Pipeline Report

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
Larry Kyte/R5/USEPA/US

**Larry Kyte/R5/USEPA/US**

01/08/2009 01:41 PM

To Connie Puchalski/R5/USEPA/US@EPA, Deborah Garber/R5/USEPA/US@EPA, Debra Klassman/R5/USEPA/US@EPA, Stephen Mendoza/R5/USEPA/US@EPA, Sandra Lee/R5/USEPA/US@EPA, CatherineL Fox/R5/USEPA/US@EPA, Ignacio Arrazola/R5/USEPA/US@EPA, Eileen Furey/R5/USEPA/US@EPA, Robert Kaplan/R5/USEPA/US@EPA, Bertram Frey/R5/USEPA/US@EPA

cc

Subject The latest Superfund Pipeline Report

FYI.

----- Forwarded by Larry Kyte/R5/USEPA/US on 01/08/2009 01:40 PM -----

**LAWRENCE  
SCHMITT/R5/USEPA/US**

01/08/2009 01:34 PM

To Larry Kyte/R5/USEPA/US@EPA

cc

Subject The latest Superfund Pipeline Report 

LK,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]  
[attachment "SF Enforcement Pipeline 09.pdf" deleted by Deborah Garber/R5/USEPA/US]


Lawrence Schmitt  
Superfund Division Enforcement Coordinator  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Blvd., SR-6J  
Chicago, IL 60604  
312-353-6565  
Larry Kyte/R5/USEPA/US

**Larry Kyte/R5/USEPA/US**

01/08/2009 11:35 AM

To CatherineL Fox/R5/USEPA/US@EPA

cc LAWRENCE SCHMITT/R5/USEPA/US

Subject Re: Fw: Draft Agenda 

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]


CatherineL Fox/R5/USEPA/US

**CatherineL  
Fox/R5/USEPA/US**

01/08/2009 11:10 AM

To Larry Kyte/R5/USEPA/US@EPA

cc

Subject Re: Fw: Draft Agenda 

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Larry,

[REDACTED]

05-FOI-00906-11WH-941

**Craig Melodia /R5/USEPA/US**

02/13/2009 01:23 PM

To Amanda Inskeep

cc

bcc

Subject Ashland/Northern States Power SF Site

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

File ashland-EPA-finalNRRBpackage-101708.pdf was moved to  
C:\EPAWork\CASES\TMDL\TMDL\303(d)-lists\Indiana\2008\ashland-EPA-finalNRRBpackage-101708\_1.  
pdf on 10/21/2009

05-FOI-00906-11WH-942

**Craig Melodia /R5/USEPA/US**

02/13/2009 01:36 PM

To Amanda Inskeep

cc

bcc

Subject Fw: Ashland Lakefront Site

Here's the agenda ...

----- Forwarded by Craig Melodia/R5/USEPA/US on 02/13/2009 01:25 PM -----

**"Crass, David A (22267)"**

**<DACrass@michaelbest.com**

**>**

02/04/2009 11:59 AM

To Craig Melodia/R5/USEPA/US@EPA

cc

Subject RE: Ashland Lakefront Site

Craig: As previously noted, we have confirmed the meeting for Feb. 19th in Chicago at USEPA Offices. I would like to suggest at 10 a.m. start time (to accommodate travel) and I would guess the meeting may go until about 2 p.m. (with a brief break for lunch). As for an agenda, we suggest the following for your consideration:

Agenda

1. Background & Introductions
2. Notice of Completion of AOC
3. "Framework" Discussions -- Background and Objectives
4. Preliminary Proposed Plan
5. RD/RA Phase Negotiation Process
6. Interplay with NRD Negotiations
7. Positions of other PRPs
8. Mixed Funding Opportunities
9. Future Oversight Cost Forgiveness
10. Steps Forward

We expect to have Dave Donovan, Jerry Winslow and Attorney Kristina Bourget all in attendance from the Company, as well as John Shulman, an outside consultant and me. Could you let me know who you expect to have in attendance for both USEPA and the State of Wisconsin?

Thanks for accomodating us and we look forward to a productive discussion.

Dave Crass

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov

[mailto:Melodia.Craig@epamail.epa.gov]

Sent: Monday, January 26, 2009 1:27 PM

To: Crass, David A (22267)

Subject: Re: Ashland Lakefront Site

Dave: Looks like EPA and DNR are available the 19th or 20th. I believe your first preference is the 19th, so I will save that date. Please confirm the date and time and approx. length of the meeting and I will reserve a room in our office. I would also appreciate an agenda at some point so everyone is aware of the topics to be discussed.

Thank you,

Craig

"Crass, David A  
(22267) "  
<DACrass@michael  
best.com>

01/23/2009 01:14  
PM

Craig Melodia/R5/USEPA/US@EPA

To

cc

Subject

Ashland Lakefront Site

Craig: This follows our recent teleconference of Tuesday, Jan. 13th. You asked that I shop for some dates that would work on our side for a meeting in Chicago to discuss next steps. We could do it either Feb. 19th, 26th or 20th in that order of preference. Please let me know what works. Also, I think it may have been a mutual oversight when we discussed that meeting but we will of course need to invite the State as well. Perhaps you could let me know which of these dates would work for the Agency and then we could extend an invitation to the State? Please advise. Thanks.

(Embedded image moved to file: | One South Pinckney Street,  
pic20620.gif) | Suite 700  
| P.O. Box 1806  
| Madison, WI 53701-1806  
| Phone: (608) 257-3501  
| Fax: (608) 283-2275

FIRM PROFILE | ATTORNEY |  
PROFILES | LEGAL SERVICES |

David A. Crass  
Attorney at Law

Direct: (608) 283-2267 |  
dacrass@michaelbest.com |

My Biography | Download My |  
Contact Info as a V-Card | |  
michaelbest.com |

OFFICE LOCATIONS | NEWSROOM |  
| EVENTS |

\*\*\*\*\*  
\*\*\*\*

Unless otherwise expressly indicated, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.

\*\*\*\*\*

Unless otherwise expressly indicated, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that the advice was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties.

The information contained in this communication may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please return it to the sender immediately and delete the original message and any copy of it from your computer system. If you have any questions concerning this message, please contact the sender.



05-FOI-00906-11WH-943

**Craig Melodia /R5/USEPA/US**

02/20/2009 11:21 AM

To GLADYS WATTS

cc THOMAS MARKS

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Re: Fw: City of Ashland Section 104(e) Response

Gladys:

[REDACTED]

Thanks,

Craig

Gladys Watts/R5/USEPA/US

**Gladys Watts /R5/USEPA/US**

Sent by: GLADYS WATTS

12/01/2008 11:44 AM

To Craig Melodia/R5/USEPA/US@EPA

cc THOMAS MARKS/R5/USEPA/US@EPA

Subject Re: Fw: City of Ashland Section 104(e) Response 

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

G. Marie Watts  
Enforcement Specialist  
U.S. Environmental Protection Agency  
Remedial Enforcement Support Section  
77 W. Jackson Blvd. (SR-6J)  
Chicago, IL 60604  
312-886-7591  
312-886-6064 FAX

Craig Melodia/R5/USEPA/US

**Craig Melodia /R5/USEPA/US**

11/24/2008 02:13 PM

To THOMAS MARKS/R5/USEPA/US@EPA, GLADYS  
WATTS/R5/USEPA/US@EPA  
cc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Fw: City of Ashland Section 104(e) Response

Tom, Gladys:

[REDACTED]

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 11/24/2008 02:04 PM -----

**THOMAS  
MARKS/R5/USEPA/US**

08/18/2008 12:28 PM

To Craig Melodia/R5/USEPA/US@EPA, GLADYS  
WATTS/R5/USEPA/US@EPA  
cc

Subject Fw: City of Ashland Section 104(e) Response

Craig and Gladys,

Below and attached is the response to the 104(e) sent the City of Ashland. The incoming e-mail indicates that a hard copy and attachments will be mailed on Monday (regular are mail vs e-mail).

----- Forwarded by THOMAS MARKS/R5/USEPA/US on 08/18/2008 12:25 PM -----

**"Brian Knapp"**  
**<BKnapp@coawi.org>**

08/15/2008 05:27 PM

To Thomas Marks <Marks.Thomas@epamail.epa.gov>  
cc

Subject City of Ashland Section 104(e) Response

Mr. Marks:

Thank you for your patience and the time extensions you have granted me for preparing this response. Attached below is the narrative response to the 104(e) request. The hard copy and attachments will be mailed on Monday as they were not fully assembled in time for the mail this afternoon.

Have a good weekend and please respond if you have any questions or concerns.

Brian Knapp  
Administrator  
City of Ashland  
601 Main St West  
Ashland, WI 54806  
715-682-7904  
715-209-7994 (Cell)



[bknapp@coawi.org](mailto:bknapp@coawi.org) Ashland-NSP Lakefront Site Info Request.doc

05-FOI-00906-11WH-944

**Craig Melodia /R5/USEPA/US**

03/16/2009 04:05 PM

To Craig Melodia

cc

bcc

Subject Draft Ashland Proposed Plan: Remedy Costs + Rate  
Increases

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

05-FOI-00906-11WH-945

**Craig Melodia /R5/USEPA/US**

03/18/2009 09:19 AM

To Deborah Garber

cc

bcc

Subject Ashland Briefing Paper

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]



Ashland-Briefing-Paper.doc

05-FOI-00906-11WH-946

**Craig Melodia /R5/USEPA/US**

03/19/2009 03:43 PM

To Deborah Garber

cc

bcc

Subject Ashland Proposed Plan

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-947

**Craig Melodia /R5/USEPA/US**

03/24/2009 09:11 AM

To Deborah Garber

cc Larry Kyte

bcc

Subject Re:  
ASHland lakefront briefing

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]



Ashland-Briefing-Paper2.doc

Deborah Garber

03/23/2009 03:59:04 PM

From: Deborah Garber/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 03/23/2009 03:59 PM  
Subject: ASHland lakefront briefing



Ashland-Briefing-Paper.doc

05-FOI-00906-11WH-948

**Craig Melodia /R5/USEPA/US**

03/27/2009 09:21 AM

To GLADYS WATTS

cc THOMAS MARKS

bcc

Subject Fw: City of Ashland Section 104(e) Response

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Thank you,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 03/27/2009 09:19 AM -----

From: Craig Melodia/R5/USEPA/US  
To: GLADYS WATTS/R5/USEPA/US@EPA  
Cc: THOMAS MARKS/R5/USEPA/US@EPA  
Date: 02/20/2009 11:21 AM  
Subject: Re: Fw: City of Ashland Section 104(e) Response

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Thanks,

Craig

Gladys Watts/R5/USEPA/US

**Gladys Watts /R5/USEPA/US**

Sent by: GLADYS WATTS

12/01/2008 11:44 AM

To Craig Melodia/R5/USEPA/US@EPA

cc THOMAS MARKS/R5/USEPA/US@EPA

Subject Re: Fw: City of Ashland Section 104(e) Response 

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege



[REDACTED]  
[REDACTED]  
G. Marie Watts  
Enforcement Specialist  
U.S. Environmental Protection Agency  
Remedial Enforcement Support Section  
77 W. Jackson Blvd. (SR-6J)  
Chicago, IL 60604  
312-886-7591  
312-886-6064 FAX

Craig Melodia/R5/USEPA/US

**Craig Melodia /R5/USEPA/US**

11/24/2008 02:13 PM

To THOMAS MARKS/R5/USEPA/US@EPA, GLADYS  
WATTS/R5/USEPA/US@EPA  
cc

Subject Fw: City of Ashland Section 104(e) Response

Tom, Gladys:

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 11/24/2008 02:04 PM -----

**THOMAS  
MARKS/R5/USEPA/US**

08/18/2008 12:28 PM

To Craig Melodia/R5/USEPA/US@EPA, GLADYS  
WATTS/R5/USEPA/US@EPA  
cc

Subject Fw: City of Ashland Section 104(e) Response

Craig and Gladys,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

----- Forwarded by THOMAS MARKS/R5/USEPA/US on 08/18/2008 12:25 PM -----

"Brian Knapp"  
<BKnapp@coawi.org>

08/15/2008 05:27 PM

To Thomas Marks <Marks.Thomas@epamail.epa.gov>  
cc

Subject City of Ashland Section 104(e) Response

Mr. Marks:

Thank you for your patience and the time extensions you have granted me for preparing this response. Attached below is the narrative response to the 104(e) request. The hard copy and attachments will be mailed on Monday as they were not fully assembled in time for the mail this afternoon.

Have a good weekend and please respond if you have any questions or concerns.

Brian Knapp  
Administrator  
City of Ashland  
601 Main St West  
Ashland, WI 54806  
715-682-7904  
715-209-7994 (Cell)  
[bknapp@coawi.org](mailto:bknapp@coawi.org)[attachment "Ashland-NSP Lakefront Site Info Request.doc" deleted by  
[Craig Melodia/R5/USEPA/US](#)]

05-FOI-00906-11WH-949

**Craig Melodia /R5/USEPA/US**

03/31/2009 10:16 AM

To GLADYS WATTS

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Re: Fw: City of Ashland Section 104(e) Response

Thank you

Gladys Watts

Hi Craig! I am so sorry I did not get this...

03/27/2009 11:28:30 AM

From: Gladys Watts/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 03/27/2009 11:28 AM  
Subject: Re: Fw: City of Ashland Section 104(e) Response

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege



ASHLANDFOLLOWUPLTRASHLANDCITYHALL.doc

G. Marie Watts  
Enforcement Specialist  
U.S. Environmental Protection Agency  
Remedial Enforcement Support Section  
77 W. Jackson Blvd. (SR-6J)  
Chicago, IL 60604  
312-886-7591  
312-886-6064 FAX

Craig Melodia/R5/USEPA/US

**Craig Melodia /R5/USEPA/US**

03/27/2009 09:21 AM

To GLADYS WATTS/R5/USEPA/US@EPA

cc THOMAS MARKS/R5/USEPA/US@EPA

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Fw: City of Ashland Section 104(e) Response

Thank you,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 03/27/2009 09:19 AM -----

From: Craig Melodia/R5/USEPA/US  
To: GLADYS WATTS/R5/USEPA/US@EPA  
Cc: THOMAS MARKS/R5/USEPA/US@EPA  
Date: 02/20/2009 11:21 AM  
Subject: Re: Fw: City of Ashland Section 104(e) Response

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks,

Craig  
Gladys Watts/R5/USEPA/US

**Gladys Watts /R5/USEPA/US**

Sent by: GLADYS WATTS

12/01/2008 11:44 AM

To: Craig Melodia/R5/USEPA/US@EPA

cc: THOMAS MARKS/R5/USEPA/US@EPA

Subject: Re: Fw: City of Ashland Section 104(e) Response 

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

G. Marie Watts  
Enforcement Specialist  
U.S. Environmental Protection Agency  
Remedial Enforcement Support Section  
77 W. Jackson Blvd. (SR-6J)  
Chicago, IL 60604  
312-886-7591  
312-886-6064 FAX

Craig Melodia/R5/USEPA/US

**Craig Melodia /R5/USEPA/US**

11/24/2008 02:13 PM

To: THOMAS MARKS/R5/USEPA/US@EPA, GLADYS

WATTS/R5/USEPA/US@EPA  
cc

Subject Fw: City of Ashland Section 104(e) Response

Tom, Gladys:

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 11/24/2008 02:04 PM -----

**THOMAS  
MARKS/R5/USEPA/US**

08/18/2008 12:28 PM

To Craig Melodia/R5/USEPA/US@EPA, GLADYS  
WATTS/R5/USEPA/US@EPA  
cc

Subject Fw: City of Ashland Section 104(e) Response

Craig and Gladys,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

----- Forwarded by THOMAS MARKS/R5/USEPA/US on 08/18/2008 12:25 PM -----

**"Brian Knapp"**  
<BKnapp@coawi.org>

08/15/2008 05:27 PM

To Thomas Marks <Marks.Thomas@epamail.epa.gov>  
cc

Subject City of Ashland Section 104(e) Response

Mr. Marks:

Thank you for your patience and the time extensions you have granted me for preparing this response. Attached below is the narrative response to the 104(e) request. The hard copy and attachments will be mailed on Monday as they were not fully assembled in time for the mail this afternoon.

Have a good weekend and please respond if you have any questions or concerns.

Brian Knapp  
Administrator  
City of Ashland  
601 Main St West  
Ashland, WI 54806  
715-682-7904  
715-209-7994 (Cell)

[bknapp@coawi.org](mailto:bknapp@coawi.org)[attachment "Ashland-NSP Lakefront Site Info Request.doc" deleted by  
[Craig Melodia/R5/USEPA/US](#)]

05-FOI-00906-11WH-950

**Craig Melodia /R5/USEPA/US**

03/31/2009 10:20 AM

To GLADYS WATTS

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Fw: City of Ashland Section 104(e) Response



ASHLANDFOLLOWUPLTRASHLANDCITYHALL-March-09.doc

----- Forwarded by Craig Melodia/R5/USEPA/US on 03/31/2009 10:19 AM -----

From: Craig Melodia/R5/USEPA/US  
To: GLADYS WATTS/R5/USEPA/US@EPA  
Date: 03/31/2009 10:16 AM  
Subject: Re: Fw: City of Ashland Section 104(e) Response

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Gladys:

Thank you

Gladys Watts

Hi Craig! I am so sorry I did not get this...

03/27/2009 11:28:30 AM

From: Gladys Watts/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 03/27/2009 11:28 AM  
Subject: Re: Fw: City of Ashland Section 104(e) Response

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Melodia/R5/USEPA/US]

G. Marie Watts  
Enforcement Specialist  
U.S. Environmental Protection Agency  
Remedial Enforcement Support Section  
77 W. Jackson Blvd. (SR-6J)  
Chicago, IL 60604  
312-886-7591  
312-886-6064 FAX

Craig Melodia/R5/USEPA/US

**Craig Melodia /R5/USEPA/US**

03/27/2009 09:21 AM

To GLADYS WATTS/R5/USEPA/US@EPA

cc THOMAS MARKS/R5/USEPA/US@EPA

Subject Fw: City of Ashland Section 104(e) Response

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Gladys: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Thank you,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 03/27/2009 09:19 AM -----

From: Craig Melodia/R5/USEPA/US  
To: GLADYS WATTS/R5/USEPA/US@EPA  
Cc: THOMAS MARKS/R5/USEPA/US@EPA  
Date: 02/20/2009 11:21 AM  
Subject: Re: Fw: City of Ashland Section 104(e) Response

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Gladys: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Thanks,

Craig

Gladys Watts/R5/USEPA/US

**Gladys Watts /R5/USEPA/US**  
Sent by: GLADYS WATTS

12/01/2008 11:44 AM

To: Craig Melodia/R5/USEPA/US@EPA

cc: THOMAS MARKS/R5/USEPA/US@EPA

Subject: Re: Fw: City of Ashland Section 104(e) Response 📎

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

G. Marie Watts  
Enforcement Specialist  
U.S. Environmental Protection Agency  
Remedial Enforcement Support Section



77 W. Jackson Blvd. (SR-6J)  
Chicago, IL 60604  
312-886-7591  
312-886-6064 FAX

Craig Melodia/R5/USEPA/US

**Craig Melodia /R5/USEPA/US**

11/24/2008 02:13 PM

To THOMAS MARKS/R5/USEPA/US@EPA, GLADYS  
WATTS/R5/USEPA/US@EPA  
cc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Fw: City of Ashland Section 104(e) Response

Tom, Gladys:

[REDACTED]

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 11/24/2008 02:04 PM -----

**THOMAS  
MARKS/R5/USEPA/US**

08/18/2008 12:28 PM

To Craig Melodia/R5/USEPA/US@EPA, GLADYS  
WATTS/R5/USEPA/US@EPA  
cc

Subject Fw: City of Ashland Section 104(e) Response

Craig and Gladys,

Below and attached is the response to the 104(e) sent the City of Ashland. The incoming e-mail indicates that a hard copy and attachments will be mailed on Monday (regular are mail vs e-mail).

----- Forwarded by THOMAS MARKS/R5/USEPA/US on 08/18/2008 12:25 PM -----

**"Brian Knapp"**

<BKnapp@coawi.org>

08/15/2008 05:27 PM

To Thomas Marks <Marks.Thomas@epamail.epa.gov>

cc

Subject City of Ashland Section 104(e) Response

Mr. Marks:

Thank you for your patience and the time extensions you have granted me for preparing this response. Attached below is the narrative response to the 104(e) request. The hard copy and attachments will be mailed on Monday as they were not fully assembled in time for the mail this afternoon.

Have a good weekend and please respond if you have any questions or concerns.

Brian Knapp  
Administrator  
City of Ashland  
601 Main St West  
Ashland, WI 54806  
715-682-7904  
715-209-7994 (Cell)

[bknapp@coawi.org](mailto:bknapp@coawi.org)[attachment "Ashland-NSP Lakefront Site Info Request.doc" deleted by  
[Craig Melodia/R5/USEPA/US](#)]

05-FOI-00906-11WH-951

**Craig Melodia /R5/USEPA/US**

06/03/2009 11:23 AM

To "Robinson, John H - DNR"

cc "Graff, Daniel A - DNR", "Dunn, James R - DNR", Scott Hansen, Patricia Krause

bcc

Subject Re: FW: Ad

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks,

Craig

"Robinson, John H - DNR"

Craig Here is the proposed...

06/03/2009 09:31:13 AM

From: "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>  
To: Craig Melodia/R5/USEPA/US@EPA, "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, Scott Hansen/R5/USEPA/US@EPA  
Cc: "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>  
Date: 06/03/2009 09:31 AM  
Subject: FW: Ad

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig

[REDACTED]

John

**From:** Dunn, James R - DNR  
**Sent:** Monday, June 01, 2009 1:31 PM  
**To:** Robinson, John H - DNR; Kazda, Anna L - DNR  
**Subject:** Ad

Jamie Dunn  
Hydrogeologist  
Remediation & Redevelopment Program  
Northern Region - Spooner  
715 635-4049



Ashland NSP Proposed Plan Ad v 5-28-09.doc

05-FOI-00906-11WH-952

**Craig Melodia /R5/USEPA/US**

07/30/2009 09:00 AM

To motto.brian, betin.clare

cc Larry Kyte, Deborah Garber

bcc

Subject Consultation on BN apportionment defense

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thank you,

Craig Melodia  
Office of Regional Counsel  
(312) 353-8870

05-FOI-00906-11WH-953

Craig Melodia /R5/USEPA/US

07/31/2009 03:35 PM

To "Graff, Daniel A - DNR"

cc

bcc

Subject Re: Ashland Municipal Liability Documents

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Dan: [REDACTED]  
[REDACTED]  
[REDACTED]

Thanks again,

Craig

"Graff, Daniel A - DNR"

Craig, In our conference call y...

07/28/2009 03:59:59 PM

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: "Foss, Darsi J - DNR" <Darsi.Foss@Wisconsin.gov>, "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>, "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
Date: 07/28/2009 03:59 PM  
Subject: Ashland Municipal Liability Documents

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig,

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

05-FOI-00906-11WH-954

**Craig Melodia /R5/USEPA/US**

09/04/2009 03:08 PM

To Daniel.Graff, James.Dunn

cc Scott Hansen

bcc

Subject Ashland Liability?

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

05-FOI-00906-11WH-955

**Craig Melodia /R5/USEPA/US**  
09/15/2009 03:21 PM

To "Robinson, John H - DNR", "Graff, Daniel A - DNR", "Dunn, James R - DNR", Scott Hansen

cc

bcc

Subject Fw: Agenda for Sept. 17 Meeting on Ashland Site

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

----- Forwarded by Craig Melodia/R5/USEPA/US on 09/15/2009 03:16 PM -----

From: Craig Melodia/R5/USEPA/US  
To: "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>  
Cc: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>  
Date: 09/15/2009 01:43 PM  
Subject: RE: Agenda for Sept. 17 Meeting on Ashland Site

Great. And I asked Steve Leifer for the powerpoint so hopefully we'll get both that and the "national practices" today.

"Robinson, John H - DNR" Craig and Dan Jamie is wo... 09/15/2009 01:35:57 PM

From: "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>  
To: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, Craig Melodia/R5/USEPA/US@EPA  
Cc: "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>  
Date: 09/15/2009 01:35 PM  
Subject: RE: Agenda for Sept. 17 Meeting on Ashland Site

Craig and Dan

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

John

-----Original Message-----

From: Graff, Daniel A - DNR  
Sent: Tuesday, September 15, 2009 1:31 PM  
To: Melodia.Craig@epamail.epa.gov; Robinson, John H - DNR  
Cc: Graff, Daniel A - DNR  
Subject: RE: Agenda for Sept. 17 Meeting on Ashland Site

Craig:

[REDACTED]



DAN

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]

Sent: Tuesday, September 15, 2009 1:25 PM

To: Graff, Daniel A - DNR

Subject: RE: Agenda for Sept. 17 Meeting on Ashland Site

[REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Thanks and see you Thursday.

Craig

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>

To: Craig Melodia/R5/USEPA/US@EPA, "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>

Cc: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>

Date: 09/15/2009 12:33 PM

Subject: RE: Agenda for Sept. 17 Meeting on Ashland Site

Craig:

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

DAN

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Tuesday, September 15, 2009 8:04 AM  
To: Graff, Daniel A - DNR; Dunn, James R - DNR; Robinson, John H - DNR; Hansen.Scott@epamail.epa.gov  
Subject: Fw: Agenda for Sept. 17 Meeting on Ashland Site

Here's the agenda for the meeting on Thursday. They also plan to give a powerpoint presentation.

----- Forwarded by Craig Melodia/R5/USEPA/US on 09/15/2009 08:03 AM -----

From: <sleifer@bakerbotts.com>  
  
To: Craig Melodia/R5/USEPA/US@EPA  
  
Date: 09/14/2009 06:27 PM  
  
Subject: Agenda for Sept. 17 Meeting on Ashland Site

Craig: Per my voice mail message, here is a proposed agenda for the meeting on Thursday. Regards, SL

Steven L. Leifer  
Baker Botts LLP  
1299 Pennsylvania Ave., N.W.  
Washington, DC 20004-2400  
202-639-7723  
202-262-9771 (cell)  
sleifer@bakerbotts.com

<<Agenda for 9-17 Ashland meeting.DOC>> (See attached file: Agenda for 9-17 Ashland meeting.DOC)

(See attached file: Microsoft Word - CBSQG Interim Final pdf ver.II  
01-07.pdf)

05-FOI-00906-11WH-956

**Craig Melodia /R5/USEPA/US**

09/16/2009 04:24 PM

To "Robinson, John H - DNR", "Graff, Daniel A - DNR", "Dunn, James R - DNR", Scott Hansen

cc

bcc

Subject Ashland ROD: Deed Restriction Language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



\\1-IC- model-revised02-06.doc

05-FOI-00906-11WH-957

**Craig Melodia /R5/USEPA/US**

09/18/2009 08:24 AM

To "Robinson, John H - DNR", "Graff, Daniel A - DNR", "Dunn,  
James R - DNR", Scott Hansen

cc

bcc

Subject Ashland Follow-Up

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Craig

05-FOI-00906-11WH-958

**Craig Melodia /R5/USEPA/US**

09/18/2009 10:08 AM

To "Graff, Daniel A - DNR"

cc "Graff, Daniel A - DNR", "Dunn, James R - DNR", "Robinson, John H - DNR", Scott Hansen

bcc

Subject RE: Ashland Follow-Up

No problem - why don't we make it 11.

Jamie - sorry but no glasses turned up.

"Graff, Daniel A - DNR"

I have an already-scheduled...

09/18/2009 09:48:52 AM

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
To: "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>, Craig Melodia/R5/USEPA/US@EPA, "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>, Scott Hansen/R5/USEPA/US@EPA  
Cc: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
Date: 09/18/2009 09:48 AM  
Subject: RE: Ashland Follow-Up

I have an already-scheduled meeting 10-10:30 so would prefer to start at 10:30. However, if 10 works best for others, I recommend starting without me and I can join in as needed. Bill Fitzpatrick's calendar shows him free that day as well, but I'll let John make the call about whether to rope him in as well.

DAN

-----Original Message-----

From: Dunn, James R - DNR  
Sent: Friday, September 18, 2009 8:36 AM  
To: Melodia.Craig@epamail.epa.gov; Robinson, John H - DNR; Graff, Daniel A - DNR; Hansen.Scott@epamail.epa.gov  
Subject: RE: Ashland Follow-Up

Tuesday works for me but we have an Ashland call scheduled for 8:00 am. Maybe we could we could shoot for 10:00?

Jamie Dunn  
Hydrogeologist  
Remediation & Redevelopment Program  
Northern Region - Spooner  
715 635-4049

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Friday, September 18, 2009 8:25 AM  
To: Robinson, John H - DNR; Graff, Daniel A - DNR; Dunn, James R - DNR; Hansen.Scott@epamail.epa.gov  
Subject: Ashland Follow-Up

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

Craig

05-FOI-00906-11WH-959

Craig Melodia /R5/USEPA/US

09/18/2009 11:21 AM

To "Robinson, John H - DNR"

cc "Graff, Daniel A - DNR", "Dunn, James R - DNR", Scott Hansen, "Fitzpatrick, William - DNR"

bcc

Subject RE: Ashland Follow-Up

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

John: [REDACTED]

"Robinson, John H - DNR"

Craig Thanks for the update...

09/18/2009 11:15:03 AM

From: "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>  
To: "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>, Craig Melodia/R5/USEPA/US@EPA, "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, Scott Hansen/R5/USEPA/US@EPA  
Cc: "Fitzpatrick, William - DNR" <William.Fitzpatrick@Wisconsin.gov>  
Date: 09/18/2009 11:15 AM  
Subject: RE: Ashland Follow-Up

Craig

Thanks for the update. I think that the technical staff should kick around the options and then we should have a larger meeting. I would be available Tuesday a.m.

John

-----Original Message-----

From: Dunn, James R - DNR  
Sent: Friday, September 18, 2009 8:36 AM  
To: Melodia.Craig@epamail.epa.gov; Robinson, John H - DNR; Graff, Daniel A - DNR; Hansen.Scott@epamail.epa.gov  
Subject: RE: Ashland Follow-Up

Tuesday works for me but we have an Ashland call scheduled for 8:00 am. Maybe we could we could shoot for 10:00?

Jamie Dunn  
Hydrogeologist  
Remediation & Redevelopment Program  
Northern Region - Spooner  
715 635-4049

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Friday, September 18, 2009 8:25 AM  
To: Robinson, John H - DNR; Graff, Daniel A - DNR; Dunn, James R - DNR; Hansen.Scott@epamail.epa.gov  
Subject: Ashland Follow-Up

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]



[REDACTED]

[REDACTED]

Craig

05-FOI-00906-11WH-960

**Craig Melodia /R5/USEPA/US**

09/18/2009 12:55 PM

To Deborah Garber

cc

bcc

Subject Ashland: Confidential Settlement Communication

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Deb: [REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-961

**Craig Melodia /R5/USEPA/US**

09/18/2009 03:11 PM

To Larry Kyte

cc Deborah Garber

bcc

Subject Ashland ROD: Change of Date

## Exemption 5 - Attorney Client Privilege Exemption 5 - Deliberative Process Privilege

Larry: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

05-FOI-00906-11WH-962

Larry Kyte/R5/USEPA/US

09/18/2009 03:39 PM

To Craig Melodia

cc Deborah Garber

bcc

Subject Re: Ashland ROD: Change of Date

Thanks Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Larry Kyte  
Associate Branch Chief-  
Superfund  
Phone: (312) 886-4245  
Fax: (312) 692-2431

Craig Melodia

Larry: There is a potential change of d...

09/18/2009 03:10:47 PM

From: Craig Melodia/R5/USEPA/US  
To: Larry Kyte/R5/USEPA/US@EPA  
Cc: Deborah Garber/R5/USEPA/US@EPA  
Date: 09/18/2009 03:10 PM  
Subject: Ashland ROD: Change of Date

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Larry: [REDACTED]

Thanks,

Craig

05-FOI-00906-11WH-963

**Craig Melodia /R5/USEPA/US**

09/18/2009 04:07 PM

To melodia.craig, Deborah Garber

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject DRAFT EMAIL (Ashland Performance Standards Issue)

[REDACTED]

[REDACTED]

[REDACTED]

Have a good weekend.

Craig

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

05-FOI-00906-11WH-964

**Craig Melodia /R5/USEPA/US**

09/21/2009 09:20 AM

To "Robinson, John H - DNR"

cc "Graff, Daniel A - DNR", "Dunn, James R - DNR", Scott Hansen, "Fitzpatrick, William - DNR"

bcc

Subject RE: Ashland Follow-Up

Ok, talk to you tomorrow at 11. I'm at home today - can you set up a conference line? If not Scott and I will call you and you can connect the others. Thanks

-----"Robinson, John H - DNR" <John.Robinson@wisconsin.gov> wrote: -----

To: Craig Melodia/R5/USEPA/US@EPA

From: "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>

Date: 09/21/2009 08:40AM

cc: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, "Dunn, James R - DNR"

<James.Dunn@Wisconsin.gov>, Scott Hansen/R5/USEPA/US@EPA, "Fitzpatrick, William - DNR"

<William.Fitzpatrick@Wisconsin.gov>

Subject: RE: Ashland Follow-Up

Craig

Jamie and I spoke this a.m. and we both feel that we should have the call at 11 a.m. on Tuesday.

John

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [<mailto:Melodia.Craig@epamail.epa.gov>]

Sent: Friday, September 18, 2009 11:21 AM

To: Robinson, John H - DNR

Cc: Graff, Daniel A - DNR; Dunn, James R - DNR; Hansen.Scott@epamail.epa.gov;

Fitzpatrick, William - DNR

Subject: RE: Ashland Follow-Up

[REDACTED]

From: "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>

To: "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>, Craig

Melodia/R5/USEPA/US@EPA, "Graff, Daniel A - DNR"

<Daniel.Graff@Wisconsin.gov>, Scott Hansen/R5/USEPA/US@EPA

Cc: "Fitzpatrick, William - DNR"  
<William.Fitzpatrick@Wisconsin.gov>

Date: 09/18/2009 11:15 AM

Subject: RE: Ashland Follow-Up

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig

[REDACTED]

John

-----Original Message-----

From: Dunn, James R - DNR  
Sent: Friday, September 18, 2009 8:36 AM  
To: Melodia.Craig@epamail.epa.gov; Robinson, John H - DNR; Graff, Daniel A - DNR; Hansen.Scott@epamail.epa.gov  
Subject: RE: Ashland Follow-Up

Tuesday works for me but we have an Ashland call scheduled for 8:00 am.  
Maybe we could we could shoot for 10:00?

Jamie Dunn  
Hydrogeologist  
Remediation & Redevelopment Program  
Northern Region - Spooner  
715 635-4049

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [<mailto:Melodia.Craig@epamail.epa.gov>]  
Sent: Friday, September 18, 2009 8:25 AM  
To: Robinson, John H - DNR; Graff, Daniel A - DNR; Dunn, James R - DNR; Hansen.Scott@epamail.epa.gov  
Subject: Ashland Follow-Up

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]



[REDACTED]

[REDACTED]

Craig

05-FOI-00906-11WH-965

**Craig Melodia /R5/USEPA/US**

09/24/2009 01:46 PM

To "Graff, Daniel A - DNR"

cc

bcc

Subject Re: FW: Ashland ROD: Deed Restriction Language

Dan, Haven't had a chance yet, but will look into it and get back to you asap. Thanks

"Graff, Daniel A - DNR"

Craig, Last Thursday I expres...

09/23/2009 05:58:01 PM

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>, "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
Date: 09/23/2009 05:58 PM  
Subject: FW: Ashland ROD: Deed Restriction Language

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

DAN

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Wednesday, September 16, 2009 4:25 PM  
To: Robinson, John H - DNR; Graff, Daniel A - DNR; Dunn, James R - DNR;  
Hansen.Scott@epamail.epa.gov  
Subject: Ashland ROD: Deed Restriction Language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Craig

(See attached file: WI-IC- model-revised02-06.doc) [attachment "WI-IC-

model-revised02-06.doc" deleted by Craig Melodia/R5/USEPA/US]

05-FOI-00906-11WH-966

**Craig Melodia /R5/USEPA/US**

09/30/2009 03:11 PM

To Deborah Garber

CC

bcc

## Exemption 5 - Attorney Client Privilege Exemption 5 - Deliberative Process Privilege

Subject Ashland Proposed Change to ROD

Deb: [REDACTED]

**Craig Melodia /R5/USEPA/US**  
10/01/2009 08:20 AM

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Deborah Garber/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 09/30/2009 04:41 PM  
Subject: Re: Ashland Proposed Change to ROD

## Exemption 5 - Attorney Client Privilege Exemption 5 - Deliberative Process Privilege

(b) (7)(C), (b) (7)(D)

	[REDACTED]
	[REDACTED]
	[REDACTED]
	[REDACTED]
	[REDACTED]
	[REDACTED]

From: Craig Melodia/R5/USEPA/US  
To: Deborah Garber/R5/USEPA/US@EPA  
Date: 09/30/2009 03:11 PM  
Subject: Ashland Proposed Change to ROD

## Exemption 5 - Attorney Client Privilege Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

05-FOI-00906-11WH-968

**Craig Melodia /R5/USEPA/US**

10/08/2009 03:53 PM

To Deborah Garber

cc

bcc

Subject Fw: Ashland performance standards

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 10/08/2009 03:46 PM -----

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 10/08/2009 11:25 AM  
Subject: Re: performance standards

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig,

[REDACTED]

Scott



ashland-EPAcoverletterfortechmemoperformancestds.-100709.doc



ashland-techmemoPerformanceStandards-100709.doc

05-FOI-00906-11WH-969

**Craig Melodia /R5/USEPA/US**

10/13/2009 03:34 PM

To Puja Lakhani

cc

bcc

Subject

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Hi Puja:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Craig  
3-8870





[REDACTED]

Puja Lakhani  
Attorney - Advisor  
Office of Regional Counsel, Region 5  
U.S. Environmental Protection Agency  
Lakhani.Puja@epa.gov  
(312) 353-3190 (Office)  
(312) 385-5437 (Fax)

CONFIDENTIALITY NOTE:

This email message is intended only for the personal use of the recipient(s) named above. This message is or may be an attorney client communication and as such privileged and confidential . If you are not the intended recipient(s) you may not review, copy or distribute this message. If you have received this message in error please notify the sender via return email and delete all copies of this message .

Craig Melodia

Hi Puja: Thanks again for meeting with...

10/13/2009 03:34:05 PM

From: Craig Melodia/R5/USEPA/US  
To: Puja Lakhani/R5/USEPA/US@EPA  
Date: 10/13/2009 03:34 PM  
Subject: [REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Hi Puja:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Craig  
3-8870

05-FOI-00906-11WH-971

**Craig Melodia /R5/USEPA/US**

10/14/2009 11:01 AM

To "Graff, Daniel A - DNR"

cc

bcc

Subject

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks, and take care.

Craig

05-FOI-00906-11WH-972

**Craig Melodia /R5/USEPA/US**

10/15/2009 02:58 PM

To "Graff, Daniel A - DNR"

cc

bcc

Subject RE: FW: Ashland ROD: Deed Restriction Language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Craig

"Graff, Daniel A - DNR"

No problem, Craig. By the wa...

09/28/2009 09:53:27 AM

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 09/28/2009 09:53 AM  
Subject: RE: FW: Ashland ROD: Deed Restriction Language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

DAN

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Thursday, September 24, 2009 1:46 PM  
To: Graff, Daniel A - DNR  
Subject: Re: FW: Ashland ROD: Deed Restriction Language

Dan, Haven't had a chance yet, but will look into it and get back to you asap. Thanks

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>, "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>

Date: 09/23/2009 05:58 PM

Subject: FW: Ashland ROD: Deed Restriction Language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig,

[REDACTED]

end?

DAN

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]

Sent: Wednesday, September 16, 2009 4:25 PM

To: Robinson, John H - DNR; Graff, Daniel A - DNR; Dunn, James R - DNR; Hansen.Scott@epamail.epa.gov

Subject: Ashland ROD: Deed Restriction Language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(See attached file: WI-IC- model-revised02-06.doc) [attachment "WI-IC- model-revised02-06.doc" deleted by Craig Melodia/R5/USEPA/US]

05-FOI-00906-11WH-973

**Craig Melodia /R5/USEPA/US**

10/16/2009 12:48 PM

To "Graff, Daniel A - DNR"

cc "Graff, Daniel A - DNR", "Robinson, John H - DNR"

bcc

Subject RE: Ashland ROD: Deed Restriction Language - Added Bonus!

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

"Graff, Daniel A - DNR"

Thanks for the feedback, John...

10/16/2009 12:21:59 PM

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
To: "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>, Craig Melodia/R5/USEPA/US@EPA  
Cc: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
Date: 10/16/2009 12:21 PM  
Subject: RE: Ashland ROD: Deed Restriction Language - Added Bonus!

Thanks for the feedback, John. [REDACTED]

[REDACTED]

[REDACTED]

DAN

-----Original Message-----

From: Robinson, John H - DNR  
Sent: Friday, October 16, 2009 12:18 PM  
To: Graff, Daniel A - DNR; Melodia.Craig@epamail.epa.gov  
Subject: RE: Ashland ROD: Deed Restriction Language - Added Bonus!

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

-----Original Message-----

From: Graff, Daniel A - DNR  
Sent: Friday, October 16, 2009 11:54 AM  
To: Melodia.Craig@epamail.epa.gov; Robinson, John H - DNR  
Cc: Graff, Daniel A - DNR  
Subject: Ashland ROD: Deed Restriction Language - Added Bonus!

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

DAN

-----Original Message-----

From: Graff, Daniel A - DNR  
Sent: Friday, October 16, 2009 11:19 AM  
To: Melodia.Craig@epamail.epa.gov  
Cc: Robinson, John H - DNR; Graff, Daniel A - DNR  
Subject: RE: FW: Ashland ROD: Deed Restriction Language

Craig:

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

DAN

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Thursday, October 15, 2009 2:59 PM  
To: Graff, Daniel A - DNR  
Subject: RE: FW: Ashland ROD: Deed Restriction Language

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]



[REDACTED]

Craig

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 09/28/2009 09:53 AM  
Subject: RE: FW: Ashland ROD: Deed Restriction Language

[REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

DAN

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Thursday, September 24, 2009 1:46 PM  
To: Graff, Daniel A - DNR  
Subject: Re: FW: Ashland ROD: Deed Restriction Language

Dan, Haven't had a chance yet, but will look into it and get back to you asap. Thanks

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
  
To: Craig Melodia/R5/USEPA/US@EPA  
  
Cc: "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>, "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
  
Date: 09/23/2009 05:58 PM  
  
Subject: FW: Ashland ROD: Deed Restriction Language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig,

[REDACTED]  
[REDACTED]  
[REDACTED] t [REDACTED] [REDACTED]  
[REDACTED]

DAN

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]  
Sent: Wednesday, September 16, 2009 4:25 PM  
To: Robinson, John H - DNR; Graff, Daniel A - DNR; Dunn, James R - DNR; Hansen.Scott@epamail.epa.gov  
Subject: Ashland ROD: Deed Restriction Language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

Craig

(See attached file: WI-IC- model-revised02-06.doc) [attachment "WI-IC- model-revised02-06.doc" deleted by Craig Melodia/R5/USEPA/US]

05-FOI-00906-11WH-974

**Craig Melodia /R5/USEPA/US**

10/16/2009 03:30 PM

To Daniel.Graff

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Fw: PS tech memo and cover letter

Dan: [REDACTED]

[REDACTED] ...

----- Forwarded by Craig Melodia/R5/USEPA/US on 10/16/2009 03:29 PM -----

From: Scott Hansen/R5/USEPA/US  
To: "Dunn, James R - DNR" <James.Dunn@Wisconsin.gov>  
Cc: john.robinson@dnr.state.wi.us, Craig Melodia/R5/USEPA/US@EPA  
Date: 10/16/2009 03:20 PM  
Subject: RE: PS tech memo and cover letter

Jamie,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]  
[REDACTED]  
[REDACTED]

Scott



ashland-EPAcoverletterfortechmemoperformancestds-101609.doc



ashland-techmemoPerformanceStandards-101609.doc



ashland-Figure1-toxicity.ppt

05-FOI-00906-11WH-975

Craig Melodia /R5/USEPA/US

10/26/2009 01:28 PM

To "Graff, Daniel A - DNR"

cc "Robinson, John H - DNR", "Graff, Daniel A - DNR"

bcc

Subject Re: Status of Ashland Protective Easement

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Thanks,

Craig

-----"Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov> wrote: -----

To: Craig Melodia/R5/USEPA/US@EPA, "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>

Date: 10/26/2009 10:11AM

cc: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>

Subject: Status of Ashland Protective Easement

John wanted to check with the City of Ashland and propose revisions to my suggested additions to same [attached above], see his email [also attached above]. Any word on this, John?

Thanks,

DAN

-----Original Message-----

From: Graff, Daniel A - DNR

Sent: Friday, October 16, 2009 11:54 AM

To: Melodia.Craig@epamail.epa.gov; Robinson, John H - DNR

Cc: Graff, Daniel A - DNR

Subject: Ashland ROD: Deed Restriction Language - Added Bonus!

[REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

DAN

-----Original Message-----

From: Graff, Daniel A - DNR  
Sent: Friday, October 16, 2009 11:19 AM  
To: Melodia.Craig@epamail.epa.gov  
Cc: Robinson, John H - DNR; Graff, Daniel A - DNR  
Subject: RE: FW: Ashland ROD: Deed Restriction Language

Craig:

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

DAN

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [<mailto:Melodia.Craig@epamail.epa.gov>]  
Sent: Thursday, October 15, 2009 2:59 PM  
To: Graff, Daniel A - DNR  
Subject: RE: FW: Ashland ROD: Deed Restriction Language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Craig

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>

To: Craig Melodia/R5/USEPA/US@EPA

Date: 09/28/2009 09:53 AM

Subject: RE: FW: Ashland ROD: Deed Restriction Language

[REDACTED]  
Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

DAN

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [  
<mailto:Melodia.Craig@epamail.epa.gov>]

Sent: Thursday, September 24, 2009 1:46 PM

To: Graff, Daniel A - DNR

Subject: Re: FW: Ashland ROD: Deed Restriction Language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]  
[REDACTED]  
From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>

To: Craig Melodia/R5/USEPA/US@EPA

Cc: "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>,  
"Graff, Daniel A -  
DNR" <Daniel.Graff@Wisconsin.gov>

Date: 09/23/2009 05:58 PM

Subject: FW: Ashland ROD: Deed Restriction Language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig,

[REDACTED]

DAN

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [<mailto:Melodia.Craig@epamail.epa.gov>]

Sent: Wednesday, September 16, 2009 4:25 PM

To: Robinson, John H - DNR; Graff, Daniel A - DNR; Dunn, James R - DNR; Hansen.Scott@epamail.epa.gov

Subject: Ashland ROD: Deed Restriction Language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Craig

(See attached file: WI-IC- model-revised02-06.doc) [attachment "WI-IC- model-revised02-06.doc" deleted by Craig Melodia/R5/USEPA/US]

----- Message from "Robinson, John H - DNR" <John.Robinson@wisconsin.gov> on Fri, 16 Oct 2009 12:18:26 -0500 -----

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

To: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>,  
"Melodia.Craig@epamail.epa.gov" <Melodia.Craig@epamail.epa.gov>

[REDACTED]

[REDACTED]

-----Original Message-----

From: Graff, Daniel A - DNR  
Sent: Friday, October 16, 2009 11:54 AM  
To: Melodia.Craig@epamail.epa.gov; Robinson, John H - DNR  
Cc: Graff, Daniel A - DNR  
Subject: Ashland ROD: Deed Restriction Language - Added Bonus!

[REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

DAN

-----Original Message-----

From: Graff, Daniel A - DNR  
Sent: Friday, October 16, 2009 11:19 AM  
To: Melodia.Craig@epamail.epa.gov  
Cc: Robinson, John H - DNR; Graff, Daniel A - DNR  
Subject: RE: FW: Ashland ROD: Deed Restriction Language

Craig:

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

DAN

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [<mailto:Melodia.Craig@epamail.epa.gov>]  
Sent: Thursday, October 15, 2009 2:59 PM  
To: Graff, Daniel A - DNR  
Subject: RE: FW: Ashland ROD: Deed Restriction Language

[REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege



[REDACTED]

[REDACTED]

Craig

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>

To: Craig Melodia/R5/USEPA/US@EPA

Date: 09/28/2009 09:53 AM

Subject: RE: FW: Ashland ROD: Deed Restriction Language

[REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

DAN

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [<mailto:Melodia.Craig@epamail.epa.gov>]

Sent: Thursday, September 24, 2009 1:46 PM

To: Graff, Daniel A - DNR

Subject: Re: FW: Ashland ROD: Deed Restriction Language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>,  
"Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
Date: 09/23/2009 05:58 PM  
Subject: FW: Ashland ROD: Deed Restriction Language

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [<mailto:Melodia.Craig@epamail.epa.gov>]  
Sent: Wednesday, September 16, 2009 4:25 PM  
To: Robinson, John H - DNR; Graff, Daniel A - DNR; Dunn, James R - DNR; Hansen.Scott@epamail.epa.gov  
Subject: Ashland ROD: Deed Restriction Language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Craig

(See attached file: WI-IC- model-revised02-06.doc) [attachment "WI-IC- model-revised02-06.doc" deleted by Craig Melodia/R5/USEPA/US]



WI-IC- model-revised02-06.doc

05-FOI-00906-11WH-976

**Craig Melodia /R5/USEPA/US**

11/03/2009 11:12 AM

To "Graff, Daniel A - DNR"

cc

bcc

Subject RE: Tax Foreclosure?

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks again for your help.

Craig

"Graff, Daniel A - DNR"

Here's a general answer, Crai...

11/02/2009 04:59:17 PM

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
Date: 11/02/2009 04:59 PM  
Subject: RE: Tax Foreclosure?

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Here's a general answer, Craig. There is a procedure for a county to gain

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

DAN

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]

Sent: Wednesday, October 14, 2009 11:01 AM  
To: Graff, Daniel A - DNR  
Subject: Tax Foreclosure?

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Craig

05-FOI-00906-11WH-977

**Craig Melodia /R5/USEPA/US**

11/24/2009 11:47 AM

To "Graff, Daniel A - DNR"

cc "Graff, Daniel A - DNR", "Robinson, John H - DNR", Scott Hansen

bcc

Subject Re: Ashland - Meet Week of Dec 7th?

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Dan, Yes we can schedule a mtg for the week of the Dec 7th to talk about the ROD and performance standards. Scott and I are available Dec 8-10 that week (any time at this point). We're thinking a call will do it s [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

Happy Thanksgiving,

Craig

"Graff, Daniel A - DNR"

Craig, I got a minute of John R...

11/24/2009 10:27:39 AM

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>  
Date: 11/24/2009 10:27 AM  
Subject: Ashland - Meet Week of Dec 7th?

Craig,

I got a minute of John Robinson's time and he's open to the meeting the week of Dec. 7th as we discussed. Even better, he will be in Madison on Tuesday the 8th and Wednesday the 9th, so those would be good days if we wanted to rendezvous in Madison. More later, and hope your meeting with Scott and Becky goes well.

DAN

05-FOI-00906-11WH-978

**Craig Melodia /R5/USEPA/US**

12/01/2009 01:59 PM

To Peter Felitti

cc Joseph Dufficy

bcc

Subject Fw: CONFIDENTIAL: CERCLA muni exemption - Wisconsin assistance requested

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Peter,

[REDACTED]

[REDACTED]

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 12/01/2009 01:42 PM -----

From: "Foss, Darsi J - DNR" <Darsi.Foss@Wisconsin.gov>  
To: Craig Melodia/R5/USEPA/US@EPA, Joseph Dufficy/R5/USEPA/US@EPA, Michael Gifford/R5/USEPA/US@EPA, Peter Felitti/R5/USEPA/US@EPA  
Cc: "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>, "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, "Enoch, Melissa L - DNR" <Melissa.Enoch@wisconsin.gov>, "Kolberg, Dan F - DNR" <Dan.Kolberg@Wisconsin.gov>, "Coda, Jessica E - DNR" <Jessica.Coda@wisconsin.gov>  
Date: 11/25/2009 02:48 PM  
Subject: CONFIDENTIAL: CERCLA muni exemption - Wisconsin assistance requested

Craig, Joe, Peter and Mike

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thank you.

Darsi Foss, Chief  
Brownfields and Outreach Section  
Bureau for Remediation and Redevelopment  
Wisconsin Department of Natural Resources  
101 South Webster Street, Box 7921 (RR/5)  
Madison, WI 53707-7921  
(\*) phone: (608) 267-6713  
(\*) fax: (608) 267-7646  
(\*) e-mail: darsi.foss@wisconsin.gov  
<http://www.dnr.wi.gov/org/aw/rr>

[attachment "11-20-09 ltr to Melodia (B2088305).PDF" deleted by Craig  
Melodia/R5/USEPA/US]



05-FOI-00906-11WH-979

**Craig Melodia /R5/USEPA/US**

12/01/2009 02:22 PM

To Peter Felitti

cc Joseph Dufficy

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Re: Fw: CONFIDENTIAL: CERCLA muni exemption -  
Wisconsin assistance requested

[REDACTED]

Thanks again,

Craig

Peter Felitti

Craig, On the first issue, I may have th...

12/01/2009 02:11:08 PM

From: Peter Felitti/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Joseph Dufficy/R5/USEPA/US@EPA  
Date: 12/01/2009 02:11 PM  
Subject: Re: Fw: CONFIDENTIAL: CERCLA muni exemption - Wisconsin assistance requested

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

Peter

Craig Melodia

Peter, I don't know if you've had a cha...

12/01/2009 01:59:08 PM

From: Craig Melodia/R5/USEPA/US  
To: Peter Felitti/R5/USEPA/US@EPA  
Cc: Joseph Dufficy/R5/USEPA/US@EPA  
Date: 12/01/2009 01:59 PM  
Subject: Fw: CONFIDENTIAL: CERCLA muni exemption - Wisconsin assistance requested

Peter,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Thanks,

Craig

----- Forwarded by Craig Melodia/R5/USEPA/US on 12/01/2009 01:42 PM -----

From: "Foss, Darsi J - DNR" <Darsi.Foss@Wisconsin.gov>  
To: Craig Melodia/R5/USEPA/US@EPA, Joseph Dufficy/R5/USEPA/US@EPA, Michael Gifford/R5/USEPA/US@EPA, Peter Felitti/R5/USEPA/US@EPA  
Cc: "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>, "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>, "Enoch, Melissa L - DNR" <Melissa.Enoch@wisconsin.gov>, "Kolberg, Dan F - DNR" <Dan.Kolberg@Wisconsin.gov>, "Coda, Jessica E - DNR" <Jessica.Coda@wisconsin.gov>  
Date: 11/25/2009 02:48 PM  
Subject: CONFIDENTIAL: CERCLA muni exemption - Wisconsin assistance requested

Craig, Joe, Peter and Mike

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thank you.

Darsi Foss, Chief  
Brownfields and Outreach Section  
Bureau for Remediation and Redevelopment  
Wisconsin Department of Natural Resources  
101 South Webster Street, Box 7921 (RR/5)  
Madison, WI 53707-7921  
(\*) phone: (608) 267-6713  
(\*) fax: (608) 267-7646  
(\*) e-mail: darsi.foss@wisconsin.gov  
<http://www.dnr.wi.gov/org/aw/rr>

[attachment "11-20-09 ltr to Melodia (B2088305).PDF" deleted by Craig  
Melodia/R5/USEPA/US]

05-FOI-00906-11WH-980

**Craig Melodia /R5/USEPA/US**

12/08/2009 11:06 AM

To "Graff, Daniel A - DNR"

cc "Graff, Daniel A - DNR"

bcc

Subject Re: City of Ashland Involuntary Acquisition

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Dan,

[REDACTED]

[REDACTED]

Craig

"Graff, Daniel A - DNR"

Craig: WDNR has been doing...

12/08/2009 10:38:37 AM

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
Date: 12/08/2009 10:38 AM  
Subject: City of Ashland Involuntary Acquisition

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

DAN

-----Original Message-----

From: Graff, Daniel A - DNR

Sent: Monday, November 02, 2009 4:59 PM

To: Melodia.Craig@epamail.epa.gov

Cc: Graff, Daniel A - DNR

Subject: RE: Tax Foreclosure?

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

DAN

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]

Sent: Wednesday, October 14, 2009 11:01 AM

To: Graff, Daniel A - DNR

Subject: Tax Foreclosure?

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Craig



RP Letters.pdf

05-FOI-00906-11WH-981

**Craig Melodia /R5/USEPA/US**

12/15/2009 11:55 AM

To Deborah Garber

cc

bcc

Subject Fw: status meeting on Ashland ROD

Deb: We're trying to brief Wendy on the Ashland ROD and looks like it will be next Tues or Weds . I hope you can attend and will send you day/time info. Attached is a briefing paper for her on status and next steps with my comments in red.

Thanks,

Craig



ashland-briefing-December09.doc

----- Forwarded by Craig Melodia/R5/USEPA/US on 12/15/2009 11:54 AM -----

From: Wendy Carney/R5/USEPA/US  
To: DONALD BRUCE/R5/USEPA/US@EPA  
Cc: Craig Melodia/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Date: 12/15/2009 11:38 AM  
Subject: RE: status meeting on Ashland ROD

---

Right now any time on Tuesday or Wednesday next week will work for me .....just let me know what day and time you pick. Thanks!

Wendy L. Carney, Chief  
Remedial Response Branch #1  
U.S. EPA - Region 5  
Superfund Division  
77 W. Jackson Blvd SR-6J  
Chicago, IL 60604

e-mail: carney.wendy@epa.gov  
fax: (312) 353-9306  
voice: (312) 353-6553

DONALD BRUCE	Anytime those 2 days works for me,...	12/15/2009 08:43:31 AM
--------------	---------------------------------------	------------------------

From: DONALD BRUCE/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA  
Cc: Craig Melodia/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Wendy Carney/R5/USEPA/US@EPA  
Date: 12/15/2009 08:43 AM  
Subject: RE: status meeting on Ashland ROD

---

Anytime those 2 days works for me, except 9:00-10:00am on Tuesday.

RE: status meeting on Ashland ROD

**RE: status meeting on Ashland ROD** 

**Scott Hansen** to: Wendy Carney

12/15/2009 07:41 AM

Cc: Craig Melodia, DONALD BRUCE, REBECCA FREY

---

Well, if this week doesn't work. I am available next week on Tuesday and Wednesday.

---

Wendy Carney | I am not sure the stars are going to align... | 12/14/2009 04:15:56 PM

From: Wendy Carney/R5/USEPA/US  
To: DONALD BRUCE/R5/USEPA/US@EPA  
Cc: Craig Melodia/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Date: 12/14/2009 04:15 PM  
Subject: RE: status meeting on Ashland ROD

---

I am not sure the stars are going to align ...Thursday works for me ...Friday does not work. I am available any time on Thursday except 10 - 11 am. I will also be in the office Monday thru Wednesday next week if that works for folks.

Wendy L. Carney, Chief  
Remedial Response Branch #1  
U.S. EPA - Region 5  
Superfund Division  
77 W. Jackson Blvd SR-6J  
Chicago, IL 60604

e-mail: carney.wendy@epa.gov  
fax: (312) 353-9306  
voice: (312) 353-6553

---

DONALD BRUCE | Unfortunately, my availability Thursd... | 12/14/2009 04:01:14 PM

From: DONALD BRUCE/R5/USEPA/US  
To: Scott Hansen/R5/USEPA/US@EPA  
Cc: Craig Melodia/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Wendy Carney/R5/USEPA/US@EPA  
Date: 12/14/2009 04:01 PM  
Subject: RE: status meeting on Ashland ROD

---

Unfortunately, my availability Thursday is very limited as I have 5 other meetings already scheduled. I could make a meeting before 9:00am on Thursday. I will also be out Friday morning, but should be in after 12:30pm. Otherwise, please feel free to brief Wendy at a different time.

RE: status meeting on Ashland ROD

**RE: status meeting on Ashland ROD**

**Scott Hansen** to: DONALD BRUCE, Wendy Carney

12/14/2009 03:52 PM

Cc: REBECCA FREY, Craig Melodia



---

Wendy and Don,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]  
[REDACTED]. Thursday 12/17 and Friday 12/18 are the best days for me. So, please let me know if you are available for about an hour on one of those days. I will try to get something together before the meeting and send out to everyone.

Thanks, Scott

05-FOI-00906-11WH-982

**Craig Melodia /R5/USEPA/US**

12/22/2009 08:21 AM

To Gary Steinbauer, Deborah Garber

cc

bcc

Subject Ashland Briefing Paper

Meeting is in Rm 512 at 10:30 ...



ashland-briefing-December09.doc

05-FOI-00906-11WH-983

**Craig Melodia /R5/USEPA/US**

12/22/2009 10:05 AM

To Deborah Garber

cc

bcc

Subject Re: Ashland Briefing Paper

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Deborah Garber [Read the briefing memo and have a co...](#) 12/22/2009 09:56:56 AM

From: Deborah Garber/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 12/22/2009 09:56 AM  
Subject: Re: Ashland Briefing Paper

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Craig Melodia [Meeting is in Rm 512 at 10:30 ...](#) 12/22/2009 08:21:31 AM

From: Craig Melodia/R5/USEPA/US  
To: Gary Steinbauer/R5/USEPA/US@EPA, Deborah Garber/R5/USEPA/US@EPA  
Date: 12/22/2009 08:21 AM  
Subject: Ashland Briefing Paper

Meeting is in Rm 512 at 10:30 ...

[attachment "ashland-briefing-December09.doc" deleted by Deborah Garber/R5/USEPA/US]

[attachment "Region 5 negotiation Plan template 1.doc" deleted by Larry Kyte/R5/USEPA/US]

05-FOI-00906-11WH-985

**Craig Melodia /R5/USEPA/US**

01/13/2010 08:09 AM

To Larry Kyte

cc Deborah Garber, Gary Steinbauer

bcc

Subject Re: Ashland Lakefront: Draft RD/RA Negotiations Plan

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Larry Kyte

Thanks Craig, The plan looks good an...

01/12/2010 05:19:11 PM

From: Larry Kyte/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Gary Steinbauer/R5/USEPA/US@EPA, Deborah Garber/R5/USEPA/US  
Date: 01/12/2010 05:19 PM  
Subject: Re: Ashland Lakefront: Draft RD/RA Negotiations Plan

Thanks Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

Craig Melodia

Here's the draft plan for negotiations. ...

01/12/2010 04:24:24 PM

From: Craig Melodia/R5/USEPA/US  
To: LAWRENCE SCHMITT/R5/USEPA/US@EPA, Larry Kyte/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA, Deborah Garber/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA, Gary Steinbauer/R5/USEPA/US@EPA, MaryBeth Blausen/R5/USEPA/US@EPA  
Date: 01/12/2010 04:24 PM  
Subject: Ashland Lakefront: Draft RD/RA Negotiations Plan

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks,

Craig

[attachment "Region 5 negotiation Plan template 1.doc" deleted by Larry Kyte/R5/USEPA/US]

05-FOI-00906-11WH-986

**Craig Melodia /R5/USEPA/US**

01/13/2010 08:10 AM

To Gary Steinbauer

cc

bcc

Subject Re: Ashland RD/RA plan

Thanks I'll incorporate these changes along with other input I hope to get.

Gary Steinbauer

Craig, The negotiations plan looks goo...

01/13/2010 08:05:50 AM

From: Gary Steinbauer/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 01/13/2010 08:05 AM  
Subject: Ashland RD/RA plan

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Gary Steinbauer  
Office of Regional Counsel  
U.S. EPA Region 5 (C-14J)  
77 W. Jackson Blvd.  
Chicago, IL 60604  
(312) 886-4306

[attachment "Region 5 negotiation Plan template 1 (revised).doc" deleted by Craig Melodia/R5/USEPA/US]

05-FOI-00906-11WH-987

**Craig Melodia /R5/USEPA/US**

01/15/2010 12:52 PM

To Deborah Garber

cc

bcc

Subject Remedy ?

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks



05-FOI-00906-11WH-988

**Craig Melodia /R5/USEPA/US**

01/15/2010 12:56 PM

To Deborah Garber

cc

bcc

Subject Fw: Remedy ?

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

-----Forwarded by Craig Melodia/R5/USEPA/US on 01/15/2010 12:54PM -----

To: Deborah Garber/R5/USEPA/US@EPA

From: Craig Melodia/R5/USEPA/US

Date: 01/15/2010 12:52PM

Subject: Remedy ?

[REDACTED]

Thanks

05-FOI-00906-11WH-989

**Craig Melodia /R5/USEPA/US**

01/20/2010 10:51 AM

To Deborah Garber, Gary Steinbauer

cc

bcc

Subject Fw: Ashland ROD that was sent to HQ

Deb, Gary: Here's the ROD that was sent to HQ for review.

----- Forwarded by Craig Melodia/R5/USEPA/US on 01/20/2010 10:51 AM -----

From: Scott Hansen/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: REBECCA FREY/R5/USEPA/US@EPA  
Date: 01/20/2010 10:32 AM  
Subject: Re: Ashland ROD that was sent to HQ

---



Ashland-reviseddraftROD#2-012010.doc

05-FOI-00906-11WH-990

**Craig Melodia /R5/USEPA/US**

01/21/2010 08:44 AM

To Gary Steinbauer

cc

bcc

Subject Fw: Consultation on BN apportionment defense

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

fyi - [REDACTED]

----- Forwarded by Craig Melodia/R5/USEPA/US on 01/21/2010 08:42 AM -----

From: Craig Melodia/R5/USEPA/US  
To: Clara Beitin/DC/USEPA/US@EPA  
Date: 01/13/2010 02:38 PM  
Subject: Fw: Consultation on BN apportionment defense

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Thank you,

Craig



Region 5 negotiation Plan template 2 (revised).doc

----- Forwarded by Craig Melodia/R5/USEPA/US on 01/13/2010 02:28 PM -----

From: Craig Melodia/R5/USEPA/US  
To: [beitin.clare@epa.gov](mailto:beitin.clare@epa.gov)  
Date: 07/30/2009 09:02 AM  
Subject: Fw: Consultation on BN apportionment defense

----- Forwarded by Craig Melodia/R5/USEPA/US on 07/30/2009 09:03 AM -----

From: Craig Melodia/R5/USEPA/US  
To: [motto.brian@epa.gov](mailto:motto.brian@epa.gov), [beitin.clare@epa.gov](mailto:beitin.clare@epa.gov)  
Cc: Larry Kyte/R5/USEPA/US@EPA, Deborah Garber/R5/USEPA/US@EPA  
Date: 07/30/2009 09:00 AM  
Subject: Consultation on BN apportionment defense

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thank you,

Craig Melodia  
Office of Regional Counsel  
(312) 353-8870

05-FOI-00906-11WH-991

MaryBeth  
Blauser/R5/USEPA/US  
02/05/2010 02:10 PM

To Gary Steinbauer  
cc  
bcc

Subject Re: [REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Gary,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Mary Beth

Gary Steinbauer Mary Beth, Thank you for the quick tur... 02/05/2010 12:54:53 PM

From: Gary Steinbauer/R5/USEPA/US  
To: MaryBeth Blauser/R5/USEPA/US@EPA  
Date: 02/05/2010 12:54 PM  
Subject: Re: [REDACTED]

Mary Beth,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Gary Steinbauer  
Office of Regional Counsel  
U.S. EPA Region 5 (C-14J)  
77 W. Jackson Blvd.  
Chicago, IL 60604  
(312) 886-4306

The preceding email message may contain information that is privileged or otherwise exempt from disclosure under applicable law. Do not disclose without consulting Office of Regional Counsel. If you have received this message in error, please do not read it, reply to the sender that you have received it in error, and erase or otherwise destroy the message.

MaryBeth Blauser Hi Gary, Attached is my fact sheet f... 02/05/2010 12:53:45 PM

From: MaryBeth Blauser/R5/USEPA/US  
To: Gary Steinbauer/R5/USEPA/US@EPA  
Date: 02/05/2010 12:53 PM  
Subject: [REDACTED]

Hi Gary,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]  
[REDACTED]  
[REDACTED]

Thanks,  
Mary Beth [attachment "[REDACTED]"]

05-FOI-00906-11WH-992

**Craig Melodia /R5/USEPA/US**

02/12/2010 10:41 AM

To John.Robinson, Daniel.Graff

cc Scott Hansen

bcc

Subject Ashland ROD: IC language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks,

Craig

PART I:

[REDACTED]

[REDACTED]

- [REDACTED]

■ [REDACTED]

[REDACTED]

■ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Craig Melodia /R5/USEPA/US**  
02/24/2010 03:55 PM

To Derek Threet  
cc  
bcc

Subject Re: [REDACTED]  
[REDACTED]

[illegible]

Derek Threet	Craig, I just joined the Burlington North...	02/24/2010 10:42:27 AM
--------------	--	------------------------

From: Derek Threet/DC/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 02/24/2010 10:42 AM  
Subject: [REDACTED]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

114



\*\*\*\*\*

Derek J. Threet, Attorney-Advisor  
U.S. Environmental Protection Agency  
Office of Enforcement and Compliance Assurance  
Office of Site Remediation Enforcement - RSD  
1200 Pennsylvania Ave. NW  
Washington, DC 20460  
Office 4232U ARS: MC-2272A  
Phone: (202) 564-1409  
Fax: (202) 501-0269  
Email: [threet.derek@epa.gov](mailto:threet.derek@epa.gov)

**Craig Melodia /R5/USEPA/US**  
02/24/2010 04:00 PM

To Gary Steinbauer, MaryBeth Blauser  
cc  
bcc

Subject Fw: [REDACTED]  
[REDACTED]

From: Craig Melodia/R5/USEPA/US  
To: Derek Threet/DC/USEPA/US@EPA  
Date: 02/24/2010 03:55 PM  
Subject: Re: [REDACTED]

11/11/2019

[REDACTED]

Craig Melodia  
USEPA Region 5  
(312) 353-8870

 Ashland Negs plan for RDRA.doc


ashland-briefing-December09.doc

Proposed Plan-6-11-09.pdf

 11-20-09 ltr to Melodia (B2088305).pdf

 Crass-Ltr-12-08.pdf

## Derek Threet

Craig, I just joined the Burlington North...

02/24/2010 10:42:27 AM

From: Derek Threet/DC/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 02/24/2010 10:42 AM  
Subject: [REDACTED]

## Exemption 5 - Attorney Client Privilege Exemption 5 - Deliberative Process Privilege

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[REDACTED]

[REDACTED]

Derek

\*\*\*\*\*

Derek J. Threet, Attorney-Advisor  
U.S. Environmental Protection Agency  
Office of Enforcement and Compliance Assurance  
Office of Site Remediation Enforcement - RSD  
1200 Pennsylvania Ave. NW  
Washington, DC 20460  
Office 4232U ARS: MC-2272A  
Phone: (202) 564-1409  
Fax: (202) 501-0269  
Email: threet.derek@epa.gov

05-FOI-00906-11WH-995

**Craig Melodia /R5/USEPA/US**

02/24/2010 04:10 PM

To Derek Threet

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Fw: [REDACTED]

The RD/RA plan I attached is the model without site info. Here's the one with info for Ashland Site ...



Region 5 negotiation Plan template 2 (revised).doc

----- Forwarded by Craig Melodia/R5/USEPA/US on 02/24/2010 04:01 PM -----

From: Craig Melodia/R5/USEPA/US  
To: Derek Threet/DC/USEPA/US@EPA  
Date: 02/24/2010 03:55 PM  
Subject: Re: [REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Derek:

[REDACTED]

Thanks,

Craig Melodia  
USEPA Region 5  
(312) 353-8870

[attachment "Ashland Negs plan for RDRA.doc" deleted by Craig Melodia/R5/USEPA/US] [attachment "ashland-briefing-December09.doc" deleted by Craig Melodia/R5/USEPA/US] [attachment "Proposed Plan-6-11-09.pdf" deleted by Craig Melodia/R5/USEPA/US] [attachment "11-20-09 ltr to Melodia (B2088305).pdf" deleted by Craig Melodia/R5/USEPA/US] [attachment "Crass-Ltr-12-08.pdf" deleted by Craig Melodia/R5/USEPA/US]

Derek Threet

Craig, I just joined the Burlington North...

02/24/2010 10:42:27 AM

From: Derek Threet/DC/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 02/24/2010 10:42 AM  
Subject: [REDACTED]

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks for your assistance.

Derek

\*\*\*\*\*

Derek J. Threet, Attorney-Advisor  
U.S. Environmental Protection Agency  
Office of Enforcement and Compliance Assurance  
Office of Site Remediation Enforcement - RSD  
1200 Pennsylvania Ave. NW  
Washington, DC 20460  
Office 4232U ARS: MC-2272A  
Phone: (202) 564-1409  
Fax: (202) 501-0269  
Email: threet.derek@epa.gov

05-FOI-00906-11WH-996

**Craig Melodia /R5/USEPA/US**

03/15/2010 11:05 AM

To "Graff, Daniel A - DNR"

cc "Graff, Daniel A - DNR", "Robinson, John H - DNR", Scott Hansen

bcc

Subject RE: Ashland ROD: IC language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Thanks again for your help,

Craig

"Graff, Daniel A - DNR"

Craig, Thanks for checking wit...

02/19/2010 05:00:27 PM

From: "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
To: Craig Melodia/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Cc: "Robinson, John H - DNR" <John.Robinson@wisconsin.gov>, "Graff, Daniel A - DNR" <Daniel.Graff@Wisconsin.gov>  
Date: 02/19/2010 05:00 PM  
Subject: RE: Ashland ROD: IC language

Craig,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

DAN GRAFF

-----Original Message-----

From: Melodia.Craig@epamail.epa.gov [mailto:Melodia.Craig@epamail.epa.gov]

Sent: Friday, February 12, 2010 10:41 AM

To: Robinson, John H - DNR; Graff, Daniel A - DNR

Cc: Hansen.Scott@epamail.epa.gov

Subject: Ashland ROD: IC language

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED] please  
provide the new information so we can update it in the ROD.

Thanks,

Craig

PART I: DECLARATION

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



05-FOI-00906-11WH-997

**Craig Melodia /R5/USEPA/US**

04/07/2010 01:54 PM

To Deborah Garber

cc

bcc

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Re: removing LNAPL "to the maximum extent possible/practicable"

[REDACTED]

Deborah Garber

This string of e-mails indicates that the...

04/07/2010 01:10:59 PM

From: Deborah Garber/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 04/07/2010 01:10 PM  
Subject: removing LNAPL "to the maximum extent possible/practicable"

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

----- Forwarded by Deborah Garber/R5/USEPA/US on 04/07/2010 01:04 PM -----

From: Jerome Kujawa/R5/USEPA/US  
To: LOLITA HILL/R5/USEPA/US@EPA, Bob Kay/R5/USEPA/US@EPA, DONALD BRUCE/R5/USEPA/US@EPA  
Cc: Deborah Garber/R5/USEPA/US@EPA, Jerome Kujawa/R5/USEPA/US@EPA  
Date: 04/07/2010 11:46 AM  
Subject:

Here it is:

----- Forwarded by Jerome Kujawa/R5/USEPA/US on 04/07/2010 11:46 AM -----

From: James Cummings/DC/USEPA/US  
To: Jerome Kujawa/R5/USEPA/US@EPA  
Cc: Ernie Watkins/DC/USEPA/US@EPA, Matthew Charsky/DC/USEPA/US@EPA, John Kingscott/DC/USEPA/US@EPA  
Date: 04/01/2010 08:25 AM  
Subject: Re: Fw: ISSUE FOR U.S.-STATE TO DISCUSS -- LNAPL --DEFINING REMOVAL OF LNAPL TO THE MAXIMUM EXTENT POSSIBLE

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Jim Cummings  
Technology Assessment Branch/OSRTI/OSWER  
USEPA (5102G)  
1200 Pennsylvania Ave NW  
Washington, DC 20460  
703-603-7197

-----Ernie Watkins/DC/USEPA/US wrote: -----

To: James Cummings/DC/USEPA/US@EPA  
From: Ernie Watkins/DC/USEPA/US  
Date: 03/30/2010 02:12PM  
cc: Matthew Charsky/DC/USEPA/US@EPA  
Subject: Fw: ISSUE FOR U.S.-STATE TO DISCUSS -- LNAPL --DEFINING REMOVAL OF LNAPL TO THE MAXIMUM EXTENT POSSIBLE

Jim,

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks,

Ernie

----- Forwarded by Ernie Watkins/DC/USEPA/US on 03/30/2010 02:04 PM -----

From: Jerome Kujawa/R5/USEPA/US

To: Ernie Watkins/DC/USEPA/US@EPA

Date: 03/30/2010 01:08 PM

Subject: Fw: ISSUE FOR U.S.-STATE TO DISCUSS -- LNAPL --DEFINING REMOVAL OF LNAPL TO THE  
t: MAXIMUM EXTENT POSSIBLE

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Ernie, You see by the trail of e-mails that I am in the midst of negotiating a SOW for an RD RA for the

[REDACTED]

[REDACTED]

----- Forwarded by Jerome Kujawa/R5/USEPA/US on 03/30/2010 12:04 PM -----

From: Deborah Garber/R5/USEPA/US

To: Jerome Kujawa/R5/USEPA/US@EPA

Cc: DONALD BRUCE/R5/USEPA/US@EPA, LCherup@enrd.usdoj.gov, LOLITA HILL/R5/USEPA/US@EPA

Date: 03/30/2010 11:00 AM

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject Re: [REDACTED]  
t: [REDACTED]

---

[REDACTED]

Jerome Kujawa---03/30/2010 10:55:06 AM---Lisa has raised a good point to me concerning clean-up of LNAPL in the groundwater. In the SOW, we h

From: Jerome Kujawa/R5/USEPA/US

To: LOLITA HILL/R5/USEPA/US@EPA, DONALD BRUCE/R5/USEPA/US@EPA, RRamsey@idem.in.gov, LCherup@enrd.usdoj.gov, BLollar@idem.in.gov, alashbro@idem.in.gov, Bob Kay/R5/USEPA/US@EPA, JMoody@idem.in.gov

Cc: paul.dombrowski2@aecom.com, sean.czarniecki@aecom.com

Date: 03/30/2010 10:55 AM

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Subject [REDACTED]  
t: [REDACTED]

---

[REDACTED]

[REDACTED]

[REDACTED]

----- Forwarded by Jerome Kujawa/R5/USEPA/US on 04/07/2010 11:46 AM -----

From: James Cummings/DC/USEPA/US  
To: Jerome Kujawa/R5/USEPA/US@EPA  
Date: 04/01/2010 09:54 AM  
Subject: Re: Fw: LNAPL at Cam-Or

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

Jim Cummings  
Technology Assessment Branch/OSRTI/OSWER  
USEPA (5102G)  
1200 Pennsylvania Ave NW  
Washington, DC 20460  
703-603-7197

-----Jerome Kujawa/R5/USEPA/US wrote: -----

To: James Cummings/DC/USEPA/US@EPA  
From: Jerome Kujawa/R5/USEPA/US  
Date: 04/01/2010 10:44AM  
Subject: Fw: LNAPL at Cam-Or

James, This is from IDEM today. Jerry

Sorry I can't get rid of the yellow highlight, this is how I received the following information:

From EPA's How To Effectively Recover Free Product At Leaking Underground Storage Tank Sites: A Guide For State Regulators (EPA 510-R-96-001) September 1996. <http://www.epa.gov/oust/pubs/fprg.htm>

#### Chapter V

The free product skimming system should be operated until it is no longer recovering significant amounts of hydrocarbons (e.g., less than 2 gallons per month).

After the system operations have been suspended , the free product

thickness levels should be monitored on a monthly or quarterly basis to ensure that significant accumulations of product do not return to the wells. A threshold level of hydrocarbon thickness (e.g., 0.1 foot) may be used as an action level to restart the recovery system. The termination criteria should also specify the period during which thickness should be monitored (e.g., 2 years of quarterly monitoring) with no exceedance of threshold hydrocarbon thickness.

Here is some additional information:

<http://www.in.gov/legislative/iac/T03290/A00090.PDF> ?

### 329 IAC 9-5-2 Initial response

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-23-1-1; IC 13-23-1-2

Affected: IC 13-23

Sec. 2. Upon confirmation of a release in accordance with 329 IAC 9-4-3 or after a release from the U in any other manner, the owner and operator shall perform the following initial response actions within tw a release:

(1) Report the release to the agency:

(A) by telephone at (317) 232-8900 or after hours or holidays at (317) 233-7745;

(B) by fax at (317) 234-0428; or

(C) at LeakingUST@dem.state.in.us for electronic mail.

(2) Take immediate action to prevent any further release of the regulated substance into the environ

(3) Identify and mitigate fire, explosion, and vapor hazards.

(4) Mitigate to the extent practicable adverse effects to human health and the environment.

*(Solid Waste Management Board; 329 IAC 9-5-2; filed Dec 1, 1992, 5:00 p.m.: 16 IR 1071; filed Jul 19, 3709; readopted filed Jan 10, 2001, 3:25 p.m.: 24 IR 1535; filed Aug 30, 2004, 9:35 a.m.: 28 IR 160)*

### 329 IAC 9-5-4.2 Free product removal

Authority: IC 13-14-8-1; IC 13-14-8-2; IC 13-23-1-1; IC 13-23-1-2

Affected: IC 13-23

Sec. 4.2. At sites where investigations indicate the presence of free product, the owner and operator sh to the maximum extent practicable as determined by the commissioner based on free product removal techn while continuing, as necessary, any actions initiated under sections 2, 3.2, and 5.1 of this rule, or preparat under sections 6 and 7 of this rule. In meeting the requirements of this section, the owner and operator sh

(1) Conduct free product removal in a manner that:

(A) minimizes the spread of the contaminant into previously uncontaminated zones by using techniques appropriate to the hydrogeologic conditions at the site; and

(B) properly treats, discharges, or disposes of recovery products and byproducts in compliance state, and federal regulations.

(2) Use abatement of free product migration as a minimum objective for the design of the free prod

(3) Handle any flammable products in a manner so as to prevent fires or explosions in accordance

----- Forwarded by Jerome Kujawa/R5/USEPA/US on 04/07/2010 11:46 AM -----

From: James Cummings/DC/USEPA/US  
To: Jerome Kujawa/R5/USEPA/US@EPA  
Cc: Ernie Watkins/DC/USEPA/US@EPA, Matthew Charsky/DC/USEPA/US@EPA  
Date: 04/05/2010 03:08 PM  
Subject: Re: Fw: LNAPL & Cam-Or

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Jim Cummings  
Technology Assessment Branch/OSRTI/OSWER  
USEPA (5102G)  
1200 Pennsylvania Ave NW  
Washington, DC 20460

05-FOI-00906-11WH-998

**Craig Melodia /R5/USEPA/US**

04/13/2010 03:21 PM

To Larry Kyte, Deborah Garber, Scott Hansen

cc

bcc

Subject Ashland Docket Review

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Larry:

[REDACTED]

Thanks,

Craig



DQJ Docket Case Sheet.doc



05-FOI-00906-11WH-999

**Craig Melodia /R5/USEPA/US**

04/14/2010 11:03 AM

To Larry Kyte

cc Deborah Garber, Scott Hansen, Gary Steinbauer

bcc

Subject Re: Ashland Docket Review

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks,

Craig



DOJ Docket Case Sheet-redline.doc

Larry Kyte

Craig, thank you for the writeup. A coup...

04/13/2010 05:26:36 PM

From: Larry Kyte/R5/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Cc: Deborah Garber/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Date: 04/13/2010 05:26 PM  
Subject: Re: Ashland Docket Review

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

thanks, Larry

Craig Melodia

Larry: Attached is the docket form. Not...

04/13/2010 03:21:30 PM

From: Craig Melodia/R5/USEPA/US  
To: Larry Kyte/R5/USEPA/US@EPA, Deborah Garber/R5/USEPA/US@EPA, Scott Hansen/R5/USEPA/US@EPA  
Date: 04/13/2010 03:21 PM  
Subject: Ashland Docket Review

Larry:

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks,

Craig

[attachment "DOJ Docket Case Sheet.doc" deleted by Larry Kyte/R5/USEPA/US]

05-FOI-00906-11WH-1000

**Craig Melodia /R5/USEPA/US**

05/18/2010 09:54 AM

To Derek Threet

cc Deniz Ergener, steinbauer.gary

bcc

Subject Re: Fw: [REDACTED]  
[REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Thanks,

Craig

-----Derek Threet/DC/USEPA/US wrote: -----

To: Craig Melodia/R5/USEPA/US@EPA

From: Derek Threet/DC/USEPA/US

Date: 05/18/2010 09:00AM

cc: Deniz Ergener/DC/USEPA/US@EPA

Subject: Fw: [REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig,

[REDACTED]  
[REDACTED] st.

Thanks.

Derek

\*\*\*\*\*

Derek J. Threet, Attorney-Advisor  
U.S. Environmental Protection Agency  
Office of Enforcement and Compliance Assurance  
Office of Site Remediation Enforcement - RSD  
1200 Pennsylvania Ave. NW  
Washington, DC 20460  
Office 4232U ARS: MC-2272A  
Phone: (202) 564-1409  
Fax: (202) 501-0269  
Email: threet.derek@epa.gov

----- Forwarded by Derek Threet/DC/USEPA/US on 05/18/2010 09:58 AM -----

From: Derek Threet/DC/USEPA/US

To: Craig Melodia/R5/USEPA/US@EPA

Date: 05/17/2010 09:47 AM

Subject: Re: [REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig,

Thanks.

Derek

\*\*\*\*\*

Derek J. Threet, Attorney-Advisor  
U.S. Environmental Protection Agency  
Office of Enforcement and Compliance Assurance  
Office of Site Remediation Enforcement - RSD  
1200 Pennsylvania Ave. NW  
Washington, DC 20460  
Office 4232U ARS: MC-2272A  
Phone: (202) 564-1409  
Fax: (202) 501-0269  
Email: threet.derek@epa.gov

Craig Melodia---02/24/2010 05:10:40 PM---The RD/RA plan I attached is the model without site info.  
Here's the one with info for Ashland Site

From: Craig Melodia/R5/USEPA/US  
To: Derek Threet/DC/USEPA/US@EPA  
Date: 02/24/2010 05:10 PM  
Subject: Fw: [REDACTED]

The RD/RA plan I attached is the model without site info. Here's the one with info for Ashland Site ...

[attachment "Region 5 negotiation Plan template 2 (revised).doc" deleted by Derek Threet/DC/USEPA/US]

----- Forwarded by Craig Melodia/R5/USEPA/US on 02/24/2010 04:01 PM -----

From: Craig Melodia/R5/USEPA/US  
To: Derek Threet/DC/USEPA/US@EPA  
Date: 02/24/2010 03:55 PM  
Subject: Re: [REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Derek:

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

[REDACTED]

Thanks,

Craig Melodia  
USEPA Region 5  
(312) 353-8870

[attachment "Ashland Negs plan for RDRA.doc" deleted by Craig Melodia/R5/USEPA/US] [attachment "ashland-briefing-December09.doc" deleted by Craig Melodia/R5/USEPA/US] [attachment "Proposed Plan-6-11-09.pdf" deleted by Craig Melodia/R5/USEPA/US] [attachment "11-20-09 ltr to Melodia (B2088305).pdf" deleted by Craig Melodia/R5/USEPA/US] [attachment "Crass-Ltr-12-08.pdf" deleted by Craig Melodia/R5/USEPA/US]

Derek Threet---02/24/2010 10:42:27 AM---Craig, I just joined the Burlington Northern team at HQ and will be taking over the Ashland/Northern

From: Derek Threet/DC/USEPA/US  
To: Craig Melodia/R5/USEPA/US@EPA  
Date: 02/24/2010 10:42 AM  
Subject: [REDACTED]

Exemption 5 - Attorney Client Privilege  
Exemption 5 - Deliberative Process Privilege

Craig,

I [REDACTED]

Thanks for your assistance.

Derek

\*\*\*\*\*

Derek J. Threet, Attorney-Advisor

U.S. Environmental Protection Agency  
Office of Enforcement and Compliance Assurance  
Office of Site Remediation Enforcement - RSD  
1200 Pennsylvania Ave. NW  
Washington, DC 20460  
Office 4232U ARS: MC-2272A  
Phone: (202) 564-1409  
Fax: (202) 501-0269  
Email: [threet.derek@epa.gov](mailto:threet.derek@epa.gov)